Du Pont's Strange Campaign

# reason

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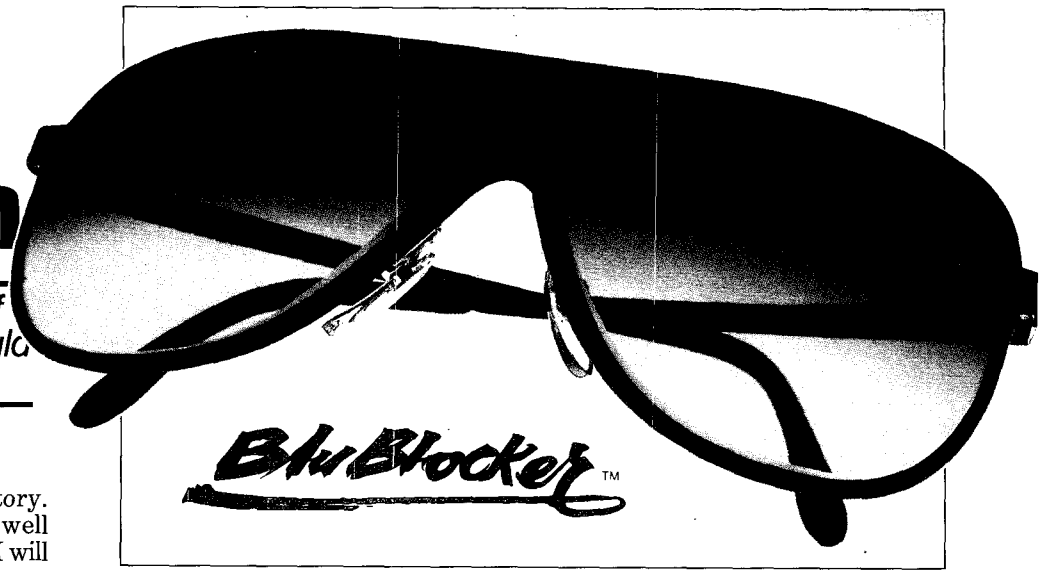
# Vision Breakthrough

*When I put on the pair of glasses what I saw I could not believe. Nor will you.*




**They look like sunglasses.**

*By Joseph Sugarman*

I am about to tell you a true story. If you believe me, you will be well rewarded. If you don't believe me, I will make it worth your while to change your mind. Let me explain.

Len is a friend of mine who knows good products. One day he called excited about a pair of sunglasses he owned. "It's so incredible," he said, "when you first look through a pair, you won't believe it."

"What will I see?" I asked. "What could be so incredible?"

Len continued, "When you put on these glasses, your vision improves. Objects appear sharper, more defined. Everything takes on an enhanced 3-D effect. And it's not my imagination. I just want you to see for yourself."

## COULDN'T BELIEVE EYES

When I received the sunglasses and put them on I couldn't believe my eyes. I kept taking them off and putting them on to see if indeed what I was seeing was indeed actually sharper or if my imagination was playing tricks on me. But my vision improved. It was obvious. I kept putting on my $100 pair of sunglasses and comparing them. They didn't compare. I was very impressed. Everything appeared sharper, more defined and indeed had a greater three dimensional look to it. But what did this product do that made my vision so much better? I found out.

The sunglasses (called BluBlockers) filter out the ultraviolet and blue spectrum light waves from the sun. Blue rays have one of the shortest wavelengths in the visible spectrum (red is the longest). As a result, the color blue will focus slightly in front of the retina which is the "focusing screen" in your eye. By blocking the blue from the sunlight through a special filtration process, and only letting those rays through that indeed focus clearly on the retina, objects appear to be sharper and clearer.

The second reason is even more impressive. It is harmful to have ultraviolet rays fall on our eyes. Recognized as bad for skin, UV light is worse for eyes and is believed to play a role in many of today's eye diseases.

## SUNGLASS DANGER

But what really surprised me was the danger in conventional sunglasses. Our pupils close in bright light to limit the light entering the eye and open wider at night like the lens of an automatic camera. So when we put on sunglasses, although we reduce the amount of light that enters our eyes, our pupils open wider and we allow more of the harmful blue and ultraviolet light into our eyes.

## DON'T BE CONFUSED

**I'm often asked by people who read this, "Do those Blu-Blockers really work?" They really do and please give me the opportunity to prove it. I guarantee each pair of BluBlockers to perform exactly as I described.**

BluBlocker sunglasses use Malenium-99™ lenses with a hard anti-scratch coating. No shortcuts were taken.

The black, light-weight anodized aluminum frame is one of the most comfortable I have ever worn and compares with many of the $200 pairs you can buy from France or Italy.

The weakest link in any pair of glasses is the hinge. So there's a precision two-way tension hinge that not only bends when you close the pair, but is spring-loaded to bend outward too. You get a completely flexible frame that will comfortably contour to any size face.

There are also three other models. One is a polarized version using the same aluminum frame with hinge, the second is a precision-molded plastic frame that looks identical to the aluminum model but without the tension hinge and finally there is a clip-on pair that weighs less than one ounce and fits over prescription lenses. All models include a padded carrying case and a one-year limited warranty.

I urge you to order a pair and experience your improved vision. Then take your old sunglasses and compare them to the BluBlocker sunglasses. See how much clearer and sharper objects appear with the BluBlocker pair. And see if your night vision doesn't improve as a direct result. If you don't see a dramatic difference in your vision—one so noticeable that you can tell immediately, then send them back anytime within 30 days and I will send you a prompt and courteous refund.

## DRAMATIC DIFFERENCE

But from what I've personally witnessed, once you wear a pair, there will be no way you'll want to return it.

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*December 1987/Vol. 19, No. 7*

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# letters

## Who Shall Judge? Who Shall Rule?

Stephen Macedo ("To Secure the Blessings of Liberty," Aug./Sept.) advocates interpreting the Constitution "in light of the moral ends toward which the Constitution itself...aspires." He cites moral ends which most people probably would agree with, such as public school desegregation, and concludes that any such desirable end therefore justifies interpreting the Constitution in ways that will support that end. While this sounds plausible and not only harmless but useful, consider the consequences. Such a policy leads most inexorably to every good end being somehow shoehorned into the Constitution.

Would it be a good idea to prohibit spitting on the sidewalk? Of course. Spanking children (which is indeed illegal in Sweden)? Then interpret the Constitution to find such prohibitions in it. The great, disturbing objection to all of this is that it makes Congress unnecessary—that is, the people no longer rule, the judges do.

If schools are to be desegregated, or spitting stopped, it should be by the will of the people expressed through their elected representatives. Anything else is the destruction of a democratic society. Macedo speaks as if decisions by judges are the only way good things can be made to happen. I object to this weakening of the people's powers and am disappointed that REASON seems to support judicial control of our society.

*Rinehart S. Potts*
*Glassboro, NJ*

STEPHEN MACEDO SHOULD RECONSIDER the advantages of the historicism he dislikes. It at least gives us something somewhat objective that the Supreme Court must pay lip service to.

Macedo's "principled judicial activism," by contrast, is an open invitation for judges to do as they please. Macedo gives us examples where judges would gain the ability to make libertarian-biased decisions. Instead, they have made many a statist decision.

It is not at all clear why we should want to be ruled by a small band of ancients unelected and nearly impossible to remove, who are selected frequently as political favors. Rather, we want curbs on their power just as we want curbs on all government power. Historicism is one such curb. We want it and the attendant point that the Constitution is a contract to be treated as such, which means the terms of it are not to be altered at the whim of a judge.

*David Carl Argall*
*La Puente, CA*

## Giving Wildavsky a Zero

Aaron Wildavsky's article "Zeroing in on Peace" (Oct.) contains a number of inaccurate suppositions, illogical conclusions, wishful imaginings, and ignorance of history.

The first law of war is to win without fighting. Intimidation of Europe, not conquest, is the objective. Throughout human history, expansionist powers have attacked on the periphery to destroy another nation's allies and interests; they don't simply launch a frontal attack or do nothing, as Wildavsky argues. Frontal attack only comes later (or as a last resort) to mop up an already weakened and demoralized victim. And the assumption that Russia must first destroy the United States in order to gain objectives over smaller nations is directly refuted by the last 40 years of history.

Wildavsky also says that the "discovery of hidden [Soviet] missiles would create great problems for the USSR." Why? Rather, it would only further terrify the Europeans, get more subsidies and aid for the Soviet Union from them, and result in more voices in America urging more appeasement. If anything


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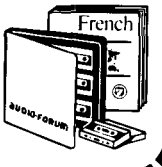


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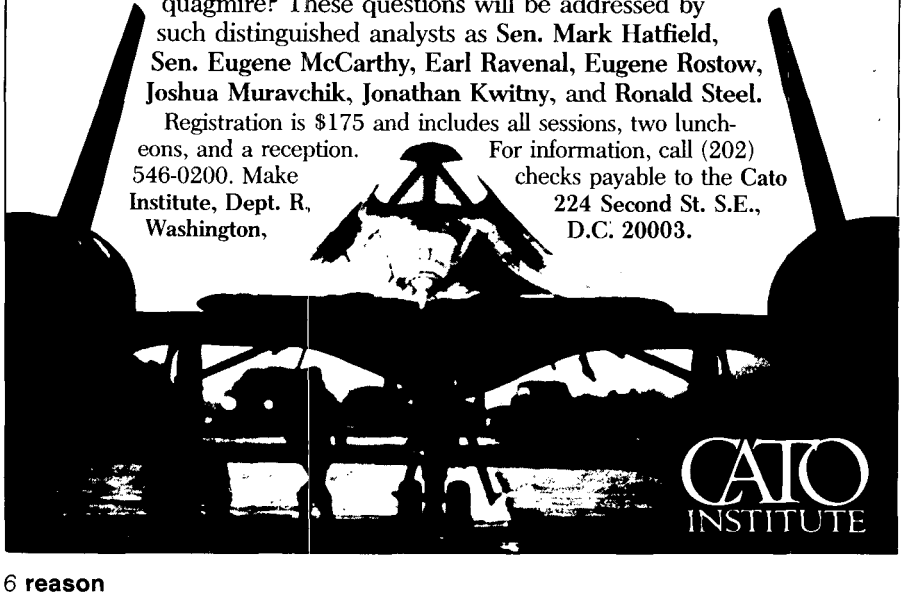



# letters

is proven so far, it's that the West will ignore Soviet treaty violations, hope for the best, and then try to negotiate another treaty.

And finally he supposes that one (unverifiable) treaty on medium- and short-range missiles will lead to another on long-range ones. Why? Past treaties haven't led to greater U.S. security, but less. Secretary Weinberger points out that the ABM treaty of 1972 was supposed to lead to further disarmament. Instead it led us to abandon defenses while the Soviets went on at full speed.

*Jon Basil Utley*
*Washington, DC*

## Enjoying "The Economist"

I enjoyed the article about the London *Economist* in your August/September number very much. Forgive me, therefore, if I put you right on a few details. First, *The Economist* was not founded by Walter Bagehot. In 1843 he was only 17 years old. It was founded, and first edited, by his father-in-law, James Wilson. Bagehot took over as editor in 1858. Secondly, the main purpose of the Corn Laws was to protect the incomes of landowners, not of farmers, though farmers supported them.

A few further points. The English for American "editorial" is formally "leading article." This then becomes shortened colloquially to "leader." On a quality British newspaper (not the tabloids) the "leader writers" are the top men, and sometimes men of high distinction. I'll bet that this does not apply to the editorialists on American papers.

You are dead right in saying that *The Economist* is wrong on antitrust. But you are dead wrong, in my opinion, in saying that it is wrong on NATO.

*Arthur Shenfield*
*Boulder, CO*

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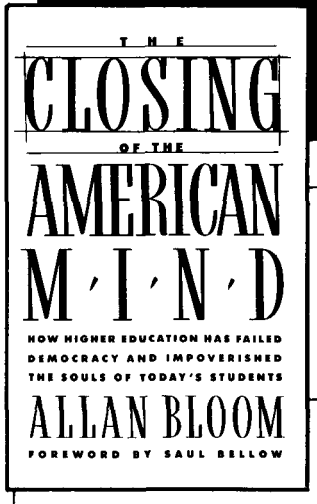


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# Winning One for the GOP

Robert W. Poole, Jr.

Conventional wisdom suggests that the Democrats will recapture the White House in 1988. After all, Ronald Reagan has been badly damaged by the Iran-*contra* mess. And the Reagan coalition of traditional Republicans, economic libertarians, and the religious right is inherently unstable, held together only by Reagan's personal magnetism.

But conventional wisdom could well be wrong. The Democrats lack a credible candidate. And the GOP has a golden opportunity to become the new majority party—if it can muster the courage and wisdom to adjust its priorities to the new realities of the late 1980s.

The most important reality is that 1988 will be the first presidential election in which the baby boom generation makes up the majority of the electorate. For our generation, the formative political events were the Vietnam war and Watergate—not the Depression, the New Deal, and World War II. Vietnam and Watergate shaped a political consciousness that is highly skeptical of government meddling—at home and abroad.

A politics-as-usual political program—dishing out subsidies and protection to every interest group in sight, sending battleships to the Middle East, launching crackdowns on immigrant-entrepreneurs and adult-video buyers—is simply not going to make it with this individualistic, antigovernment generation. On the other hand, a positive program that's in tune with this new majority's skeptical, tolerant values is highly likely to be a winner.

The first requirement is for the GOP to jettison the religious right's social agenda. This should not be done vindictively. With all due respect for the sincere religious convictions of Pat Robertson, Jerry Falwell, and their followers, the GOP needs to reaffirm that morals are the province of the home and the church, not the government. No more than this need be said or done. The religious right won't like it, but they are not likely to defect en masse to the liberal Democrats over just this issue.

On defense and foreign policy, the GOP needs to do what Ronald Reagan and Caspar Weinberger have failed to do: set clear priorities about what is essential and what is not. A large majority (and not just baby boomers) is convinced that $300 billion is more than enough to spend on "defense"—and they're ready to vote for people who can separate real defense from international power trips.

One such power trip is paying the bills (and retaining the nuclear trigger finger) for Europe and Japan. Nearly 50 years after World War II, it is long past time to return to normalcy, where major powers are responsible for their own defense. In adopting this posture, the GOP would be returning to its long and honorable tradition of nonintervention.

At the same time, the GOP should make its number-one defense priority the *deployment* of a system of defenses against nuclear attack. Polls show overwhelming support for a shield against

## H. R. Gross, R.I.P.

WHERE HAVE all the curmudgeons gone? Last year we lost Howard Jarvis, the irascible old coot who masterminded California's Proposition 13 tax revolt. At this summer's end, Wisconsin's populist maverick William Proxmire announced that he will not seek reelection in 1988; he'll no doubt be replaced by some blow-dried bipartisan nonentity.

Our latest loss is H. R. Gross, a legendary figure in the halls of Congress, who passed away in September. Gross was an Iowa radio broadcaster who came to Congress in 1948 as an antiwar, antispending Republican. He "wears loud neckties," wrote a bemused *Life* reporter, "and a perpetually worried expression."

What worried him was the unraveling of the federal purse. Gross stalked the House floor until 1983, opposing almost any bill that required the expenditure of taxpayers' money. It didn't matter if the subject was Medicare or a few dollars to light the eternal flame at John F. Kennedy's grave. H. R. Gross was agin it.

He was a staunch isolationist, the sort of Midwesterner who called foreign aid "money down a rathole" and denounced the bombing of Cambodia because it cost too much. Gross always appeared irritated, yet his mordant humor—typically, he ridiculed a proposed national aquarium as "a glorified fish pond"—endeared him to all but his most earnest colleagues. H. R. Gross often said that he regretted only one act in his hallowed career: he failed to vote against President Johnson's Gulf of Tonkin Resolution. (He voted present.)

Gross had a high gnomic sense; his aphorisms, maxims, and sly barbs could fill an encyclopedia. May he rest well, and may his drab successors never forget the sign that adorned his office: "There is always free cheese in a mousetrap." **—B. K.**

the threat of nuclear destruction. The majority will grow ever larger as more voters come to realize that today we have no defense whatsoever. A fully informed public will demand deployment of an initial defensive system, even as R&D proceeds on the lasers and particle beams for a second generation.

What about the economy? One of Ronald Reagan's strongest appeals to younger voters has been the restoration of economic growth and entrepreneurship. Yet today's well-educated baby boomers know that our low-tax prosperity has been purchased at the expense of future generations, who are stuck with the doubled national debt (now over $2 trillion) created by Reaganomics.

It's important that the gravity of this situation be faced. The recently revised Gramm-Rudman schedule calls for five more years and $472 billion more in deficits before reaching a balanced budget in 1993. This is a pipe dream, because it assumes there will be *five more years* with no recession. A recession would automatically lead to much larger deficits.

Traditional Republicans will therefore be beating the drums for a major tax increase to balance the budget. But that would be a double disaster. Not only would it probably cost the GOP the election (go ask Walter Mondale!); if it somehow were enacted, such an increase would very likely trigger a deep recession by killing off entrepreneurial activity, increasing rather than ending the deficit.

What's needed—and what the new majority will support—is what Ronald Reagan promised but never accomplished: to reduce the cost and scope of the federal government, making it live within its means like the rest of us. There are three excellent ways to do this:

•*Freeze spending.* As long as the economy continues to grow, the tax code automatically increases federal revenues by about $50 billion a year—without any increase in tax rates. So if federal spending were simply frozen for two years, two-thirds of the deficit would be wiped out. Because a freeze cuts all programs, it will be widely perceived as fair—but only if there are no exceptions. A presidential candidate with the courage to say no to *every* demand (including Social Security and the Defense Depart-


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*The Gentle Art of Verbal Self-Defense,* originally $12.95, now costs only $6.95. And, should you want to return the book, you can do so and have your money refunded with no questions asked.

### About the Author

Psycholinguist Suzette Haden Elgin has presented her innovative self-defense principles in a variety of formats. She has given workshops and seminars all over the U.S., including verbal self-defense sessions for doctors, lawyers, and other professionals. Dr. Elgin has also created a self-defense tape and a training manual for people who teach her self-defense techniques.

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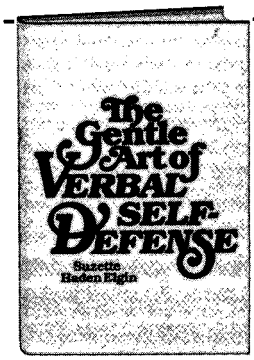


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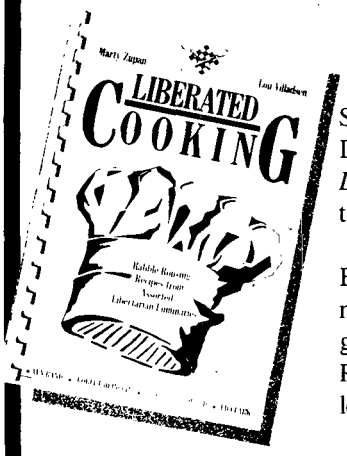


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## editorials

ment) would win many points.

• *Destroy all monsters.* Savvy voters know it's a crock that farmers get $40 billion in subsidies per year, that Boeing and McDonnell Douglas get export subsidies, and that mayors get billions in grants to subsidize construction of Hyatt Regencies. But Congressman A votes for Congressman B's program so that B will agree to vote for A's. So, one by one, the subsidies all stay on the books. What about a pledge to cut a whole package of subsidies simultaneously—so, for example, what city folks lose in urban grants, they make up in lower food prices? Those savings would really add up to something—between $60 and $80 billion a year.

• *Sell federal assets.* Everywhere else in the world, overburdened governments are selling off state-owned enterprises in order to pay their debts. The Japanese expect to raise $100 billion selling telephone, railway, airline, and other companies. In Britain Margaret Thatcher raised $40 billion from privatization in her first two terms and has additional tens of billions of sales in the pipeline. The story is being repeated in France, Spain, Chile, Mexico, and dozens of other countries.

Contrary to popular impressions, the U.S. government has numerous salable assets: the Postal Service ($10 billion?), the TVA ($15 billion?), National and Dulles airports ($2 billion?), National Forest commercial timberlands ($25 billion?), plus broadcast frequencies and the minerals under federal lands, just to name a few. Politically impossible? That's what skeptics said about selling British firms. But by giving workers and customers a chance to buy in as shareholders, Thatcher turned privatization into people's capitalism—and helped ensure her reelection. The GOP could do likewise.

A platform stressing social tolerance, strong defense of this country, and living within our means could give the GOP a commanding majority. It would preserve the best of the Reagan legacy—shrinking the role of government—while correcting its worst flaws of moral authoritarianism and militarism.

• Live and let live.

• Defend America, not the world.

• Spending cuts, not tax increases.

That's what our generation is waiting to hear. Will the GOP get the message?

# Are You Ready for the FINANCIAL PANIC of 1988/'89?

## ►How it will affect your investments
## ►What you can do NOW to protect your wealth *and* make profits at low risk

**"Sometime in the next 18 months, I expect a world-wide stockmarket collapse – a 're-run' of October, 1929.... But *first*, the world's stockmarkets could double!"**

– Mark Tier, editor, WORLD MONEY ANALYST

In October 1929, Wall Street crashed.... Could it happen again? If it did, how could you *protect* your wealth *and* make a profit?

In the latest issue of the WORLD MONEY ANALYST, editor Mark Tier begins a remarkable new series: ***"The Financial Panic of 1988/'89."*** Mark Tier is forecasting a *major change* in the economic climate, which will come to a head next year or early 1989 in a dramatic, *worldwide* stockmarket collapse reminiscent of October 1929.

But, says Mark Tier, the "Big Boom" is *still to come.*

Washington policy makers and economists elsewhere have made the danger of recession their major concern. But if you're familiar with the stance taken by the WORLD MONEY ANALYST, you'll know that since the current boom began in November 1982, Mark Tier has *consistently* held that there'd be *no recession*; and to expect *a dramatic resurgence in economic growth* – a new boom, yet to come.

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In 1983, the US economy grew at a massive 6% rate – as predicted in the WORLD MONEY ANALYST. For the last few years, the US (and world) economy has been sluggish – but the "feared recession" *has not occured.*

*Now*, the US economy shows signs of *rapid activity.* In fact, in the first quarter of this year, growth was *4.8% at an annual rate* – a dramatic turnaround from the 1.1% rate recorded at the end of 1986.

In ***"The Financial Panic of 1988/'89"*** you'll discover the major similarities – and the major differences – between the 1980s and the 1920s. Why a repeat of October 1929 is expected – soon. But why Wall Street stocks will rise *at least 50%* – even *double* – before the collapse!

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But first – why listen to Mark Tier's "crazy" forecast of a stockmarket collapse? Take a look at his track record for accurately forecasting *major market trends, changes* in the world economy, and timing *major turning points* in investment markets:

►***in June 1982,*** the WORLD MONEY ANALYST advised: "Get ready to pick up some real bargains on Wall Street." *Just two months later*, the Dow Jones 30 index began its incredible "climb into the sky" – rising 330% from the August 1982 low of 776.72 to a high (so far) of 2,680 on August 11, 1987:

►***in February 1983,*** Mark Tier forecast the Dow would "exceed 2,000 in this bull market" – a forecast that was then widely ridiculed, but is now history;

►***in December 1984,*** Mark Tier advised: "Place an order in the market to buy gold at $US289 an ounce or better." On *February 25th, 1985* gold made its bear market low of $US282.50! What's more, that's the *only* day since 1979 you could have purchased gold *under $289;*

►***in March 1985 – 5 days after the peak of the US dollar*** – the WORLD MONEY ANALYST issued a Special Alert entitled *"It's Time To Sell the US Dollar."* Since then, the yen has risen 80% and the Deutschemark 89.5% against the US dollar.

►***in November 1986,*** Mark Tier advised subscribers to "sell all long-term US government bonds" as the bull market in bonds, up 44% since mid-'84, "appears to be over." The Dow Jones Bond index then stood at 93.50: in March '87, US bonds peaked at 95.51. In April, the market *collapsed* – and US interest rates skyrocketed!

In the next few issues of the WORLD MONEY ANALYST, Mark Tier will fully outline the reasons why he expects a major financial panic to develop in 1988 or '89; explain just *how* he expects this panic to unfold; advise what you should do *right now* to protect your wealth – and suggest low-risk ways you can make *major* profits in stock and commodity markets.

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Similarities between the 1920's and the 1980's – the overwhelming dominance of "currency politics:"

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- Why (and how) Wall Street stocks will rise at least 50% – and could double – even though they're now "fully valued."
- Why you should *avoid* buying stocks now – despite this "super-bullish" outlook. Better ways to make far higher profits – at much *lower* risk – than buying stocks outright.
- One stock market that will suprise everyone and *outperform* Wall Street – even though right now this market is even *more* "over valued"!
- Why the US dollar will continue to fall – but why the much-heralded "collapse of the dollar" is now *over!*
- Why the debt mountain will *double*. . . why the danger of a debt collapse does *not* come from Third World debt (and where the *real* danger is)... why there's *no danger* of a debt collapse – *until 1989!*
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# brickbats

Kevin Friloux, president of St. Charles Parish in Louisiana, gave himself a few pats on the back during a recent reelection campaign. He wrote several letters to newspapers in praise of himself but signed other people's names to them. One letter carried the signature of Friloux's uncle, who has since died. "I don't think there's really anything wrong with it...illegal or dishonest," says the modest candidate. And his uncle, he said, knew what he wanted to say but not how to say it.

Eat a bagel, go to prison? A federal inmate has been demoted back to prison from a halfway house because he ate a bagel. Well, it was a bagel with poppy seeds, and unfortunately for inmate Anthony Clarizio, that kind of seed skews drug-test results. Croissants are obviously a safer choice in the midst of a drug war.

Idle men in one region of the Indonesian island of Timor have to eat mud. The chief of the south-central Timor regency patrols local villages with buckets of mud, which he scoops out and rubs into the mouths of layabouts. If this sounds cruel, consider the *ancien régime*. Timorese kings used to punish lazy district chiefs by giving them 5 strokes of the whip. The district chiefs then gave 25 strokes to every village chief, who in turn punished lazy villagers with 625 strokes. We shudder to think what happened to dogs and children.

Two years per beer? That's about what it's costing a work-release inmate who smuggled eight cans of beer into prison on Christmas Eve. John E. Powell, who'd been serving a sentence at a Florida correctional facility for robbery and bad checks, would have been eligible for parole in January. But the judge added 15 years to his sentence as punishment for smuggling in those holiday spirits. Smuggle beer, smuggle a weapon—the penalty category is the same. And even harsher than the penalty for escape. "If he had just turned around and run away, he would have gotten a lower sentence," says his public defender.

"EVICT HIM? ABSOLUTELY NOT! HE'S THERE FOR THEIR BENEFIT!"

Car-wash owner George Vargish thinks New Jersey civil rights officials are all wet. His troubles started when a male patron complained that his "Ladies Day" discount amounted to sex discrimination. The state agreed: a car-wash is a public accommodation, so everyone has to pay full price. But Vargish isn't deterred. He plans to skirt the law by offering a 50-cent discount on certain days to anyone—male or female—who turns out in a skirt or a dress. Civil rights activists are studying their next move.

Ah, *mañana!* Those Mexican bureaucrats have it down pat. A recent study shows the average government employee spends only 196 days a year on the job. Not only do they get two vacations of 15 days each and 12 days of paid personal leave; they also benefit from 22 days of so-called bridge holidays—additional time off granted by the government to make long weekends of patriotic or religious holidays falling on a Thursday or Tuesday. These guys' services are obviously not essential. Why not send 'em all home? It might just be the best way to reverse Mexico's worst economic crisis in half a century.

What they won't ban next... In Sri Lanka, it's television commercials featuring children to promote products. Government officials say parents complained that they were too poor to buy the products demanded by their children after watching such ads. "An ad which shows a child asking his mother for an expensive milk brand prompts other children to ask their mothers for the same product," explains Minister of State Anandatissa De Alwis.

**—Mark Edward Crane**

# What Makes a Consultant Successful?

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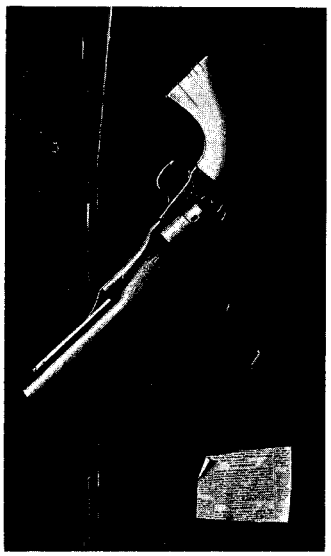
## Gun Control Under Control

Florida has become the latest state to liberalize its gun laws, with the passage of legislation allowing average citizens to carry concealed handguns. The fourth-largest state in the country, fast-growing Florida may influence other states to reconsider their gun control laws.

Under the new law, which took effect October 1, anyone over 21 who has been a Florida resident for at least six months can obtain a concealed-weapon permit. An approved gun training course is a prerequisite, and drug addicts, alcoholics, and convicted felons are excluded.

A separate law passed simultaneously prohibits local governments from imposing their own restrictions on concealed weapons. Such restrictions were draconian in some localities—Broward County, which includes Fort Lauderdale, required applicants to pay $500, pass a background check and a mental examination, be endorsed by the chief of police, be approved by a hearing officer after an interview, and have an approved reason for carrying a gun. A whopping 22 of the county's 1.2 million residents had permits under the old system.

As gun-control analysts have noted, restrictive laws don't stop people from carrying weapons. Sixty-three percent of Dade and Broward County residents who answered an informal poll by a



*Miami Herald* columnist said they carried concealed weapons in their cars.

The new law is clearly popular: David Register, director of licensing, said that the state expects to process 130,000 applications for permits each year. Even before applications became available in mid-September, some 15,000 requests had poured in.

Though pro-gun advocates are usually thought of as rural and blue-collar, much of the support for Florida's new laws came from white-collar and professional residents. Says Rick Manning, the National Rifle Association's Florida liaison: "Self-defense for individuals is one of the foremost issues on people's minds—their ability to choose whether to have a firearm for self-defense."

Eleven states, ranging in population from Vermont to Georgia, already had nonrestrictive concealed-weapons laws, some of which were passed in the last decade. Since Florida passed its law, Manning says, "We have received a number of phone calls and a lot of interest from legislators...trying to get bills in their states."

## Libertarians Off and Running for '88

The 15-year-old Libertarian Party, which has been running candidates for president since 1972, met in Seattle over Labor Day weekend and nominated former Republican congressman Ron Paul of Texas for head honcho in 1988. More than 750 delegates and observers attended the Seattle convention, which nominated Andre Marrou, an ex–Alaska legislator, for vice-president.

The party platform, as in previous years, advocates the more or less immediate withering away of most of the state, on the premise that "that government is best which governs least." On foreign affairs, delegates expressed support for a noninterventionist policy and for abrogating the 1972 Anti-Ballistic Missile Treaty with the USSR.

Party officials speak optimistically of a rebound by the LP, which saw its presidential vote total dip from 920,000 in 1980, when the party fielded Los Angeles attorney Ed Clark, to 220,000 in 1984. National party chairman Jim Turney told REASON that "we've built the party back up." He was loath to predict the 1988 vote total, except to say that "several million" is a possibility if the Democrats and Republicans nominate lunkheads and the "John Anderson factor" kicks in.

The fight for the nomination was spirited, and Paul, who joined the LP earlier in 1987, won on the first ballot by a bare majority, with 196 votes. His main contender, American Indian Movement activist Russell Means, won 120 votes; Connecticut tax resister Jim Lewis, 49; and others and none of the above, 17.

Paul is seen as a skillful fundraiser who can attract conservatives likely to be dismayed with the GOP's choice. In Congress, he was a principled opponent of state activity, often casting the sole vote against proposed legislation. But he has his detrac-

***Ron Paul:*** *All the way in '88?*

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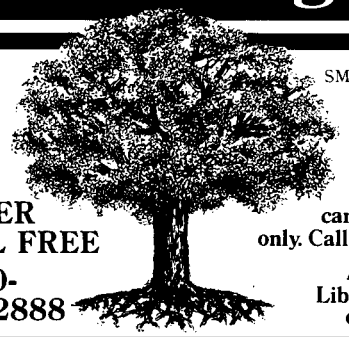

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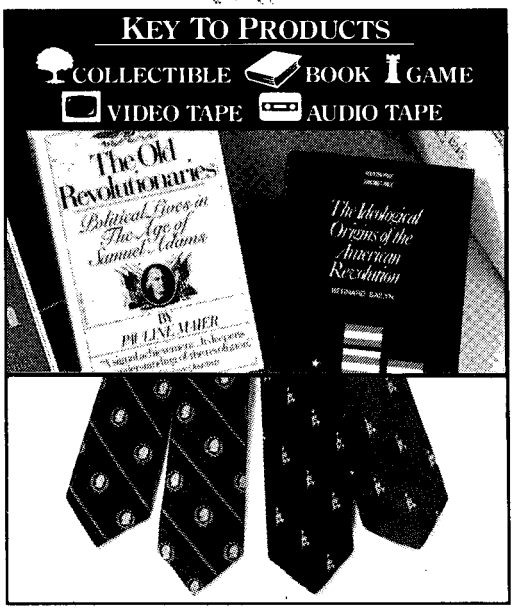


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tors: some Libertarians worry that his hard-money enthusiasm will fail to excite voters while his conspiracy views (international bankers in cahoots with the Trilateral Commission and the Council on Foreign Relations) will turn off the media.

Most attendees seemed to leave the convention heartened and hopeful that the LP is on its way back. Chairman Turney, noting the "harmonious atmosphere" that blanketed Seattle, is betting that the LP's recuperative powers will surprise more than a few people come November '88.

## Have We Got Some Questions for the Census Takers

How many bedrooms do you have? How many kids? Do you have fire insurance? How long does it take you to get to work?

Who wants to know? Not the Office of Management and Budget—it's trying to get those questions taken off the 1990 census, arguing that answering them isn't worth Americans' time. Under the Paperwork Reduction Act of 1980, OMB is legally obligated to ferret out such time savings.

But planners of every description, from banks and developers to local governments, *do* want to know all about your bedrooms and kids, and they'd rather get the information for free than pay some private data collector. Sputtering with fear that they won't get their decennial data fix ("OMB Moves to Cripple 1990 Census," warned the trade newspaper *Nation's Cities*), they've persuaded some members of Congress that OMB's suggestion poses a major threat to truth, justice, and the American way.

"I can't remember constituent complaints about the census," claims Rep. James Scheuer (D-N.Y.). But OMB estimates that filling out census forms costs Americans $450 million of time at $15 an hour; Sen. Paul Sarbanes (D-Md.), a foe of the change, calls that estimate "grossly overstated," since the median wage is $10 an hour. At that rate, the cost would still be $300 million—hardly chicken feed to anyone but Sarbanes.

# global trends

## Indians Slay an Octroipus

DELHI—In a historical first, Indian business and industry united last summer to strike against the state government of Maharashtra, demanding abolition of the duty known as Octroi. A legacy of British rule, Octroi—a tax levied on any goods entering an Indian city or state—has always been viewed as an obnoxious imposition on commerce. There were two main objections: it breeds corruption and wastes time and fuel at the collection checkposts.

The strike began, amidst fiery rhetoric, on May 25. Remarked Ramakrishna Bajaj, guiding spirit of the agitation, "Our movement succeeded because it is from the grass roots. Five hundred trade and manufacturing organizations joined us. So did the Bombay Goods Transport Association, which has a membership of 20,000 registered trucks." Four days later, Bombay witnessed a silent march of traders, small industrialists, and transport operators, followed by agitation at four Octroi checkposts in the city.

While the anti-Octroi battle raged, the residents of Bombay were an anxious lot: supplies of essentials had almost disappeared, due to the role of the transporters in the strike. Even chemists and druggists downed their shutters. (Milk and water tankers were exempted from the strike on humanitarian grounds.)

The determined strikers were successful: Maharashtra chief minister S. B. Chavan announced reforms that will abolish Octroi by May 31, 1988. The state had given in.

*—Probir Kumar Sarkar*

## Novelist Urges Peru to Bank on Liberty

EIGHTY PERCENT of the financial sector is already in state hands in Peru, and when President Alan Garcia announced a plan in July to take over the rest, nationalizing the nation's 10 private banks, the move roused energetic opposition from an unusual quarter. It was not a politician or a front man for the rich, but the honored novelist Mario Vargas Llosa who fired the first volley with an editorial in a Lima newspaper condemning as a step toward totalitarianism Garcia's attempt to gain total control over credit.

***Mario Vargas Llosa:*** *"Solidarity with liberty."*

Next, Vargas Llosa worked with Hernando de Soto of Peru's Institute for Liberty and Democracy to organize a protest as, in Vargas Llosa's words, "a show of solidarity for liberty." In late August, 100,000 people took to the streets in Lima to hear his appeal for economic freedom for all Peruvians. Rejecting the rich-versus-poor premise behind Garcia's plan to "democratize credit," Vargas Llosa emphasized that he had not come to defend poor bankers but to defend everyone.

Llosa, in works such as *The Real Life of Alejandro Mayta,* has established himself as a novelist of renown, skilled at limning the complexities of Latin American social and political fabrics. Over the years he has become increasingly active in politics. He has, for instance, been harshly critical of Fidel Castro at a time when many other Latin writers have praised the Maximum Leader or equivocated.

Although Garcia tried to downplay the protest against bank nationalization, it clearly stalled the issue. Peru's senate debated the measure through September, and observers predicted that if it ever passed, it would be considerably watered down. Meanwhile, Vargas Llosa says that this is just the beginning of a crusade to reverse the encroachments of the state on people's private lives.

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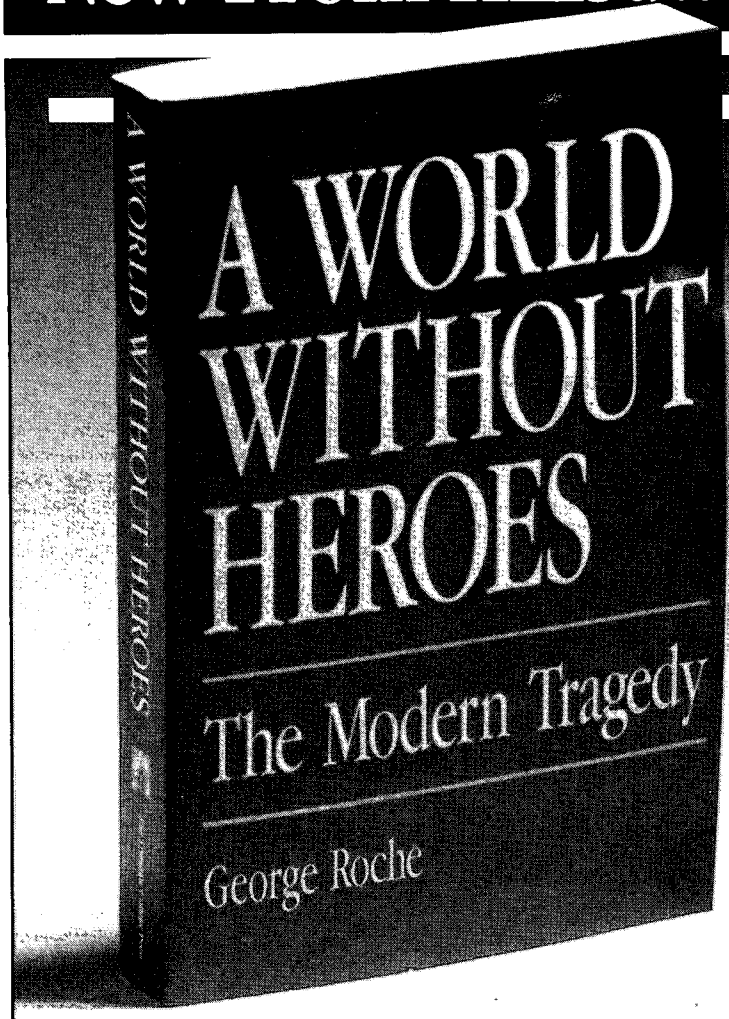


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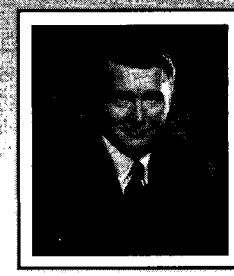

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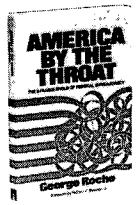


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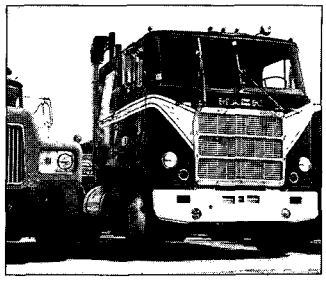
## Forget Glamour, We'll Take the Money

In 1980, Congress gave every man, woman, and child in the country $250 a year—by deregulating trucking.

This unglamorous act has completely transformed the way U.S. companies manage their transportation and inventory systems—the buzzword is "logistics"—and saved $56 billion to $90 billion a year through greater efficiency, figures Robert V. Delaney. One of the best-known logistics experts in the country, he reports on trucking deregulation in a recent Cato Institute study.

"Our inventory is now on wheels," he writes, explaining that many companies have slashed inventories, and the costs they entail, by using trucking more efficiently. In 1983, for example, Ford reduced its inventories by $750 million, Chrysler by $200 million. And many companies are now using outside firms that supply door-to-door traffic management services—impossible under the old regulations.

But deregulation still isn't complete. While most federal restrictions are gone, many states regulate trucking within their borders. As a result, they actually hurt their own manufacturers. For example, notes



Delaney, Texas retailer Neiman-Marcus pays $1,000 more to ship a containerload of blue jeans from a manufacturer in its own state than from a company in Taiwan. And it is cheaper to truck goods to San Francisco from Reno, Nevada, than just across the Bay Bridge from Oakland.

"The Asians and the Europeans are significantly ahead of us in the development of efficient logistics systems because economic regulation has frustrated the development of such systems in the United States," writes Delaney. "Economic regulation is unjust in its principles, impractical in its means, and ruinous in its consequences. It is time to finish the deregulation job begun in 1980."

## Garbage Out, Good Sense In

Ridley Arms, a 241-unit apartment complex in Ridley, Pennsylvania, was throwing away money.

The complex's management found the trash collection services provided by the township inadequate, so it contracted with a private refuse hauler to dispose of its 90 cubic yards of weekly garbage. The cost, over five years, was about $23,000.

So far so good. But wait... Ridley Arms was also required by town ordinance to pay a trash collection fee, as a tax, to the local government. Though the complex didn't use the town's trash-collection services, its fee amounted to $58,000 over five years.

Ridley Arms went to court. And won. The Supreme Court of Pennsylvania found that although Ridley's ordinance was not unconstitutional, it was "unreasonable." The court ordered the town to reimburse Ridley Arms for the taxes paid.

The court's opinion noted that the private contractor provided better service than the government and for less than half the price. "Taxpayers," Justice Flaherty opined, "have adopted a fatalistic view that no matter how outrageous, how costly, how uncompetitive a government activity is, if it is sponsored by government it is not open to successful challenge."

But this shouldn't be, said the good judge. "Governmental systems and clarifications which require the payment of taxes or the curtailment of freedoms were never meant to be regarded as unchallengeable."

Maybe the users of better, more cost-effective private educational services should try a Ridley challenge.

## Out of the Mouths of...

*Economist Nikolay Shmelyov of Moscow's Institute for the U.S. and Canada, writing in the Soviet Union's leading political and literary magazine,* Novy mir, *in June:*

"What is holding us back? Primarily the ideological fear that we will release the evil genie of capitalism from the bottle....

"The economic situation of enterprises and cooperatives will have to depend directly on profit....Our suspicious attitude toward profit is a historical misunderstanding, the result of the economic illiteracy of people who thought that socialism would eliminate profit and loss....

"Who is going to drum into the heads of our managers that the time of administrative methods is passing, and that economics has its own laws which are just as terrible to violate as the laws of the atomic reactor in Chernobyl?"

*Bobby Godsell of South Africa's Anglo American Corp., hardest-hit by black miners' three-week strike in August, to* Los Angeles Times *reporter Michael Parks:*

"I really, profoundly believe that the strike was part of a transition towards a modern, non-racial democracy....

"A lot of people have said, 'Well, you guys wanted unions, you've got them now, and I'm sure that you're sorry.' I'm afraid that I'm completely unrepentant. I'm neither surprised at the strike, nor am I sorry that we encouraged the development of black trade unions.

"Democracy is a clumsy, costly, conflict-ridden way of running a society, but the alternative is not terribly attractive."

## California Dreamin': The FDA Fades Away

When the going gets tough, the tough get going. That's apparently the thinking of California's Atty. Gen. John Van de Kamp, who suc-

cessfully pushed for a law that would allow his state to conduct its own testing of experimental drugs on AIDS patients, without waiting for the federal government's approval.

AIDS is an "extraordinary medical emergency," argued Van de Kamp, and "business as usual is not enough." He said the Food and Drug Administration (FDA) just isn't moving quickly enough in authorizing tests for new drugs. The new law will allow California pharmaceutical manufacturers to proceed with tests after obtaining state approval.

While the feds have authority over drugs sold across state lines, the states themselves have jurisdiction over drugs made and dispensed solely within their borders. California is already overseeing tests of at least a dozen experimental medicines, including several used in cancer research and X-ray diagnoses.

According to the *Los Angeles Times*, Van de Kamp predicted that the AIDS drug testing proposal would "echo like a thunderbolt...in the corridors of the federal medical bureaucracy." FDA spokesman Bill Grigg told REASON he didn't understand why drug companies would need such a measure, since the FDA takes just "a week, five or six days" to approve AIDS test proposals. If there are new drugs for AIDS out there, said Grigg, "we haven't heard of them."

Grigg suggested that perhaps the real objective of the bill was to get state research money. And in fact, the measure would appropriate over $500,000 to finance the tests, and Van de Kamp conceded that the program could eventually cost the state up to $25 million.

Wading through a state bureaucracy rather than the federal one may not be any improvement. But it's noteworthy that at least one state is this fed up with the feds.

***—Robert W. Poole, Jr., Lucy Braun, Bill Kauffman, Virginia I. Postrel, and James Taranto***

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Institute for Liberty and Democracy
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**■ Libertarian Race**
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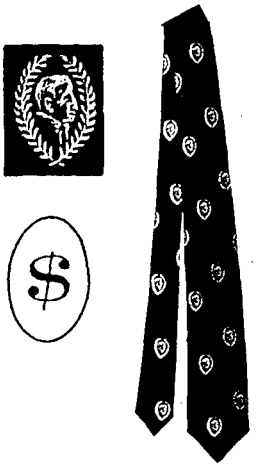

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by VIRGINIA I. POSTREL

SEIZE A CHURCH SCHOOL, BAN A PRAYER MEETING, CLOSE DOWN A SYNAGOGUE... ZEALOUS BUREAUCRATS ARE STRANGLING RELIGIOUS LIBERTY.

# QUIET CRUSADE

Edward C. Horne stands on the steps of the Church of St. Paul and St. Andrew. It is a bright Tuesday morning in early June, sunny enough to make even Manhattan seem cheerful. As he takes in the air, the young Methodist pastor greets several elderly men and women who have come to pay $1.00 each for lunch and some socializing.

Above, workmen climb around on the church's red tile roof, removing chunks of masonry that car exhaust and rain have torn away from the walls and gutters. When the work is done, passers-by will be safe from falling rock, but dark holes will still stare out at the brownstones of the Upper West Side.

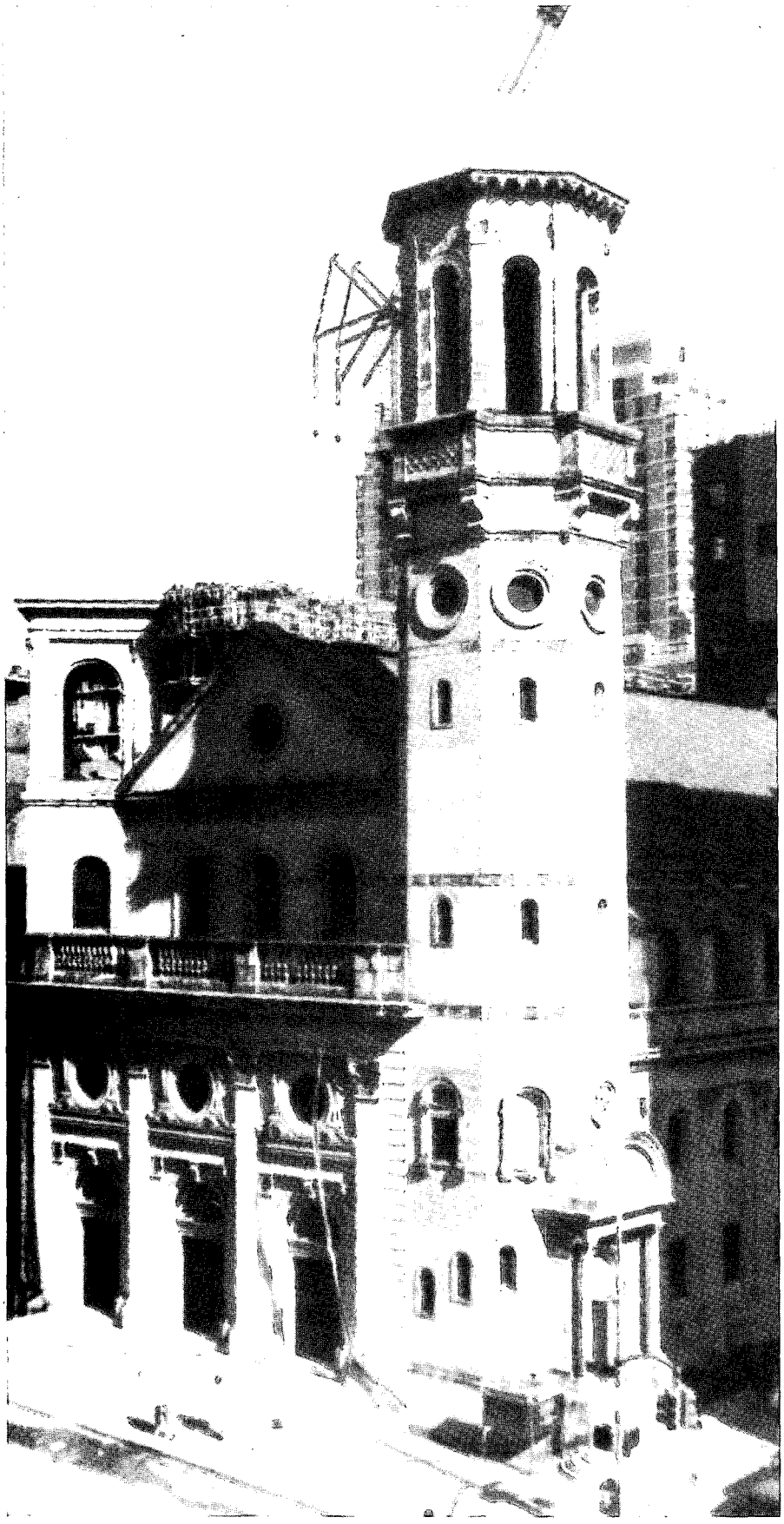
Inside, only the small lobby and closet-like office are lit; the gloomy hallway that faces the door makes the church feel abandoned, shut down. Little old ladies—en route to lunch in the basement social hall—pick their unsteady way down narrow stone steps whose edges seem to have been nibbled away.

Horne, a conciliatory sort with reddish hair and beard, works two flights up—in the pastor's study, an island of light, space, and air conditioning. He came to the church a little over a year ago and has attracted a growing number of congregants, mostly in their 20s and 30s. Average Sunday attendance has swelled from 50 to 90, and pledges are up dramatically, to $90,000 for this year.

But 90 worshipers get pretty lost in a sanctuary designed to seat 1,400 (if you count the balcony, closed since the late '70s when it was condemned by the city as a safety hazard). And $90,000 doesn't go far when the church faces $5 million or more in renovation costs. This prospective financial ruin comes courtesy of the New York City Landmarks Preservation Commission, an unelected government body that has in effect turned the Church of St. Paul and St. Andrew into a museum. In the Soviet Union, where such transformations are common practice, the state at least pays for upkeep. Not so in New York.

Like many congregations throughout the nation, St. Paul and St. Andrew's has become a casualty in an unreported war—a war between religious freedom and regulations that are ostensibly economic. It is a war in which believers have few allies and bureaucrats have many. And it is a war that the regulators are winning.

St. Paul and St. Andrew's would like to tear down most of its existing struc-



St. Paul and St. Andrew's: A casualty in the war between church and state.

ture, built in 1895, and erect a smaller church. Even worse, in antidevelopment New York, the congregation would like to let a developer build a (taxable) high-rise condominium complex on part of its lot. Income from the project would put the church on firmer financial ground and allow it to expand its mission programs. In a visionary moment, Horne imagines the church using the money to buy a single-room occupancy hotel, or SRO, to provide housing for the neighborhood's poor and homeless.

Before church members could even vote on such a rebuilding plan, however, the Landmarks Commission got wind of it, and in November 1981 the commissioners declared this rather unattractive mishmash of Romanesque and Renaissance styles an architecturally significant landmark. It is now illegal for the congregation to alter the exterior of its property in any way without the commission's approval. Such designations, common in New York City, are about 40 times more likely to hit churches and synagogues than other buildings.

Almost immediately after its building was declared a landmark, St. Paul and St. Andrew's sued on First and Fifth Amendment grounds, claiming that the designation infringed on the free exercise of religion and also constituted government taking of property without just compensation. Almost five years later, a federal appeals court ruled 4-3 against the church; the U.S. Supreme Court refused to hear the case. Now, unless the church can persuade the Landmarks Commission to grant it a rare "economic hardship" exemption, St. Paul and St. Andrew's will be forced to spend millions on maintenance and to stay in a building whose odd-shaped rooms, narrow stairways, and huge sanctuary do not suit its needs.

In a case that could affect St. Paul and St. Andrew's, a wealthier Episcopal church, St. Bartholomew's, is fighting the Landmarks Commission in federal court; the commission denied its appeal for a hardship exemption, in effect telling the congregation to drain its endowment to maintain its building. The case has become a *cause célèbre* in New York, with politicians lining up to denounce the church for wanting to tear down its

parish house and build a high-rise office building on the property. Again, the church would use part of the building and receive income from the rest.

"This case is not about religion. It is about real estate," declares an *amicus* brief filed by 10 preservationist groups opposed to St. Bart's. It notes that "an exemption of all property owned by religious organizations would severely undermine the governmental interests promoted by historic preservation. Religious buildings often occupy central locations in historic districts and frequently offer irreplaceable examples of spiritual and cultural values." In other words, the very fact that the landmarks law disproportionately affects religious

"The Landmarks Commission has a legal right to say that we must keep the church as a museum for the community," says St. Paul and St. Andrew's pastor Ed Horne.

buildings—and the congregations that own them—serves the preservationists as ammunition.

The consequences for religious exercise can be devastating. "The Landmarks Commission has the right to tell a church that it has to bleed itself of all resources and put them into its building before it can plead hardship," explains Horne. "Even people who support preservation are appalled that there's no money that comes along with it. The Landmarks Commission has a right to say that we keep the church as a museum for the community."

**The Church of St. Paul and St.** Andrew is an unlikely champion of property rights. It is emphatically liberal, its ministry a mixture of prayer groups and poverty programs, worship and weapons protests. "Housing is a right," proclaims a flyer on its bulletin board. But this haven for New York liberals is caught up in a widespread struggle. Religious groups and individuals are under government attack—not directly by laws that prohibit their beliefs but, more insidiously, by economic regulations that cripple the free exercise of those beliefs.

Such regulations span the country and the full range of economic and religious life: from landmarking in New York, where 11 mayor-appointed aesthetes seize control of church budgets and buildings; to rent control in Santa Monica, California, where the city blocked a church's plans to build a parsonage; to zoning in Colorado Springs, where a minister was sentenced to 90 days in jail and a $1,000 fine (both later stayed) for holding services in his home; to child labor laws in Mint Hill, North Carolina, where federal authorities cracked down on the Shiloh True Light Church's long-standing vocational training program; to antidiscrimination statutes in Chico, California, where a woman is fighting for the right not to rent to unmarried couples, whose lifestyle offends her religious beliefs; and on and on.

Like religious restrictions throughout the ages, these regulations are created by the majority and, however inadvertently, trample on minority rights. Outside of such planning-happy communities as New York, Santa Monica, and Brookline, Massachusetts, they are much more likely to hit Jehovah's Witnesses, Seventh Day Adventists, Hassidic Jews, and adherents of obscure newer sects than to threaten the mainstream members of the National Council of Churches or the Synagogue Council of America. But by expanding the power of the state to control an intensely private domain—and one that can act as a countervailing influence to state authority—these regulations threaten all citizens, believers and nonbelievers alike.

At issue is the very meaning of religious freedom. Is it merely a matter of otherworldly dogma that offends no one and breaks no laws, because it has no practical consequences? Or does religious freedom also entail protecting the practices that stem from faith? And if so, can religious freedom—or, for that matter, *any* personal freedom—be divorced from property rights?

These are questions that traditional advocates of civil liberties, notably the ACLU, have studiously ignored. But they are the questions that will determine the future of free exercise in this country. Already, federal courts have ruled several times that the government's right to regulate property must come before citizens' rights to practice their religion. As such precedents build on each other, the First Amendment's guarantee of free exercise becomes narrower and narrower, until the only place individuals can exercise freedom of religion is within their own skulls—no outward expression is allowed.

**Isaac Farhi had gotten a new** Torah scroll, and the Syrian Jews of Deal, New Jersey, had turned out to celebrate. As 200 people joyfully marched down the street, carrying the sacred scroll, Farhi's neighbors looked on in horror. What had become of their quiet residential community?

Not much, actually. The procession was a one-time outburst of fervor, an exuberant celebration of a rare event. It broke no laws and gave no one grounds to complain to the authorities. But nonetheless, Isaac Farhi soon found himself in court.

An ordained rabbi who teaches in a local religious school, Farhi is one of many Syrian Jews who have migrated from Brooklyn to this town of 2,000 in recent years. Strictly observant of Jewish law, the newcomers have transformed what was formerly a typical Jersey shore community—half Irish Catholics, half "regular," European Jews.

"There is a conflict between long-time residents and this new influx of this one religious faction, which has very orthodox religious observances," explains attorney Richard B. Ansell, a Deal native who has represented Rabbi Farhi and other Syrian Jews. The newcomers are, he says, "used to having their religious observances at their fingertips, so to speak, at every street corner." For these people, religion is not an isolated activity or simply a matter of conscience. It is an integrated way of life.

In Farhi's case, that way of life includes holding daily services in one room of his multistory home. Attendance is sparse; on weekday mornings, worshipers sometimes struggle to round up the required *minyan* of 10 men, and even

Sabbath and holiday services attract only 15 to 25 people. Forbidden by religious law to ride on the Sabbath or holidays, worshipers create none of the traffic or parking problems that sometimes annoy neighbors of religious institutions.

Nevertheless, in 1983, one of Farhi's more contentious neighbors dragged him before the local zoning board—complaining *not* about the procession but about Farhi's nonintrusive daily services. According to court records, "the entire matter was precipitated when a few of Rabbi Farhi's neighbors complained to town officials that car doors could be heard slamming on weekday mornings and that from the street the congregants could be heard saying prayers." As such authorities tend to do, the board ruled in favor of the complaining neighbor, declaring that Farhi was illegally operating a synagogue in a residential area.

Normally, one might expect a pluralistic society to take the live-and-let-live attitude exemplified by a Lakewood, California, man recently interviewed by the *Los Angeles Times*. Asked what he thought of a Cambodian Buddhist temple meeting in the house next door to his, Larry Merrell, who attends a church where people speak in tongues, said, "We accept it. We make some pretty weird sounds at our church, too." But zoning laws undermine such tolerance by allowing even a single disgruntled neighbor to precipitate a crackdown on religious practice.

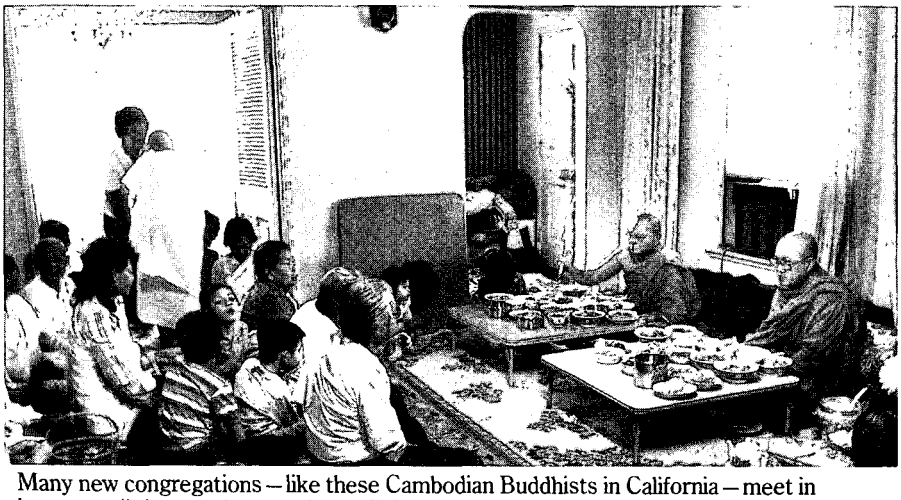
So cases like Isaac Farhi's are common. A man's home may be his castle—but he'd better not try turning it into a church. Since many zoning ordinances outlaw religious buildings in residential areas, and since zoning boards tend to be a bit imperialistic, shocked homeowners often find their living-room gatherings lumped in the same illegal category as buildings with parking lots and steeples. If you have 500 of your closest friends over every Sunday morning to pray, sing hymns, hear a sermon, and pass the offering plate, most people would call that a church. But what if there are only 10 people? That's no more intrusive than a bridge club.

"If you have 10 people over every Sunday morning for your Great Books discussion group, and you discuss life issues—the kind of things you discuss in a church—if that's allowed, aren't you discriminating against groups that meet on religious grounds?" asks William B. Hollberg, an Atlanta attorney affiliated with the Rutherford Institute, a legal group that specializes in defending religious freedom.

Says Farhi's attorney Ansell, "I don't care what you call it, or whether they want to be big and proud and call it a whole congregation—they've got three people coming there but they've got a big long name or something. I distinguish that from what you would consider a full-scale church or a full-scale temple."

But the courts generally do not see things that way. In a case very similar to Farhi's, the city of Miami Beach threatened to prosecute Naftali Grosz, an elderly Hassidic rabbi who held twice-daily services in his garage; Grosz and his family challenged the city's zoning ordinance as an infringement on their religious freedom. A federal appeals court—the highest court so far to rule on a conflict between zoning laws and home religious practices—upheld the ordinance, declaring that the Groszes' rights to free exercise were outweighed by the burden that would be imposed on the government by loosening zoning restrictions.

In Isaac Farhi's case, however, the New Jersey Superior Court broke with federal rulings and accepted Ansell's argument. New Jersey's constitution, the court declared, protects the right of citizens to hold small worship services in the privacy of their own homes: "The court cannot fathom a set of facts more illustrative of a principal, accessory, conditional and incidental use of a property as a residence than the use which Rabbi Farhi makes of his property. It is exactly this kind of instance—prayer in the privacy of one's home—that the drafters of our State Constitution sought to protect." Not all cases are so simple, however. What if Rabbi Farhi *had* wanted to build a full-fledged synagogue?



Many new congregations—like these Cambodian Buddhists in California—meet in homes until they can buy another building. Zoning laws can destroy such fledgling groups.

**After years of worshiping** in a storefront on a busy commercial street, the 175-member Lakewood, Ohio, Congregation of Jehovah's Witnesses was ready to move. Vacant land was rare in the Cleveland suburb, but in late 1972, the church bought a half-acre corner lot in a neighborhood of stately one- and two-family homes. According to court records, the design for the new building, or Kingdom Hall, "featured a low, square building with a rustic stone exterior intended to blend with the neighboring properties. The design, insofar as possible, preserved the trees on the land and sheltered the forty-two car parking lot from the homes nearby." The church, in short, planned to be a good neighbor.

But the zoning board refused to grant the church an exception to ordinances that bar religious buildings from virtually all of Lakewood's residential districts; such exceptions had been made in the past. After *11 years* of court battles and repeated appeals to the board, the congregation made legal history—by losing in federal appeals court and thus establishing that communities have the legal right to zone religious buildings out of residential areas.

The tenor and language of the deci-

sion are disturbing, even more so than the result itself. For in their rush to uphold state control over private property, the judges anointed themselves theological arbiters as well.

"There is no evidence," sniffed the court, "that the construction of Kingdom Hall is a ritual, a 'fundamental tenet,' or a 'cardinal principle' of its faith. At most the Congregation can claim that its freedom to worship is tangentially related to worshipping in its own building. However, building and owning a church is a desirable accessory to worship, not a fundamental tenet of the Congregation's religious beliefs." Even a cursory survey of religious and architectural

Lynwood Adventist Academy: Condemned to make way for a public school.

history would reveal that religious buildings, from the great cathedrals of Europe to the stark meetinghouses of New England, were specifically designed to augment and express religious convictions. Yet the judges held that building a church isn't "integrally related" to religious beliefs—it's a mere matter of finances and aesthetics.

This rather bizarre ruling is more easily understood in its legal context. Had the court decided that Lakewood's zoning law did in fact infringe on the free exercise of religious freedom, it would have then been obligated to apply the "Sherbert test," named after the 1963 Supreme Court decision in which it was established. This test, which applies to any governmental action that burdens religious practices or institutions, requires the state first to demonstrate a compelling governmental interest—maintaining a quiet residential neighborhood, for example—*and* to prove that it has pursued that interest in the least intrusive way possible. In zoning cases, this might mean regulating noise or parking directly rather than outlawing religious activities altogether.

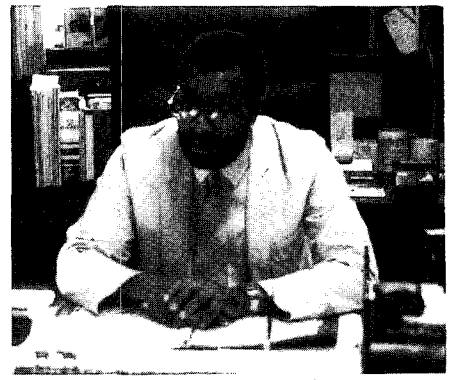
The Lakewood case, by establishing a precedent that land-use regulation does not burden religious exercise and so is exempt from the Sherbert test, has sweeping implications. As Scott David Godshall noted in a 1984 *Columbia Law Review* article: "Absent a religion whose beliefs center on the land itself, *any* religious use of land may, under this analysis, be defined as secular and denied protection. The result, in other words, is a per se rule against application of free exercise analysis to church land use controversies. Like the New York landmark cases, this result opens up the possibility of restrictive regulation of free exercise rights through the medium of land use restrictions."

The courts' muddled thinking about free exercise stems from their muddled thinking about economics. Unless money actually changes hands from a religious individual to the government (a fine) or fails to change hands from the government to the individual (denial of an entitlement check), most judges see no penalty imposed on free exercise. In the Lakewood decision, for example, the appeals court cited two Supreme Court precedents to bolster its arguments.

In one, Jewish merchants who closed their stores on Saturday for religious reasons argued that "blue laws" forcing them to stay closed on Sunday imposed an unconstitutional penalty on the free exercise of their religion. They lost when the Supreme Court ruled—rather incredibly, considering the Christian origins of such laws—that "neither the purpose nor the effect of the law was to impede religious observation or to discriminate among religions" and that all the laws did was create "inconvenient economic burdens on religious freedom." But staying closed on Sunday is more than an "inconvenient" burden. It is a state-imposed cost, every bit as real as a fine. It burdens all merchants who would like to open on Sunday, but it doubly penalizes those who, for religious reasons, must remain closed on Saturday as well.

In the second precedent cited in the Lakewood case, the Supreme Court ruled that a Seventh Day Adventist couldn't be denied unemployment benefits because she refused to accept jobs that required her to work on Saturday. To "condition the availability of benefits upon this appellant's willingness to violate a cardinal principle of her religious faith effectively penalizes her constitutional liberties," said the high court. Money changes hands, so the cost is real.

As in the Miami Beach Grosz case,



"This is an issue that can go all the way to the Supreme Court," says Lynwood Academy principal Bill Wright.

presumption that an aggrieved group or individual—in this case the church—has to give an overwhelming reason for weakening the state's control. In our free society, however, it is the government that should have to give an overwhelming reason for encroaching on religious freedom and property rights. The shift in the burden of proof has grave implications for individual rights. As Godshall wrote in his law review article, "close examination of almost any otherwise valid law will reveal that it is tied to at least one extremely significant public value. Lined up against one of these large public values—public health or welfare or safety, for example—the demands of a religious group, especially a small one, often tend to shrink in comparison. Viewed in this manner, the balancing process may impose a bias against the religious interest; when the two interests are balanced, 'it is more than mere coincidence' that the state usually wins."

**Classes started this fall at the** Lynwood Adventist Academy, south of Los Angeles, as they have every fall since 1936. Once again, its 200 students have returned, carrying with them their parents' hopes for college and careers. Almost 90 percent of the academy's students—most of whom are black—go on

to college; many win scholarships. They become doctors and scientists, teachers and ministers, lawyers and businesspeople, respected citizens who remember their school with affection and admiration.

But this year's students aren't sure they'll have a school much longer. For the Lynwood Unified School District has cast a covetous eye on the academy's 24-acre campus, with its shady lawns and neat gardens, and has made plans to seize it—to build a *public* high school on the same site, possibly even using some of the same buildings.

In December, the school board voted to condemn 20 acres of school property, leaving only the church building and parking lot next to the academy. The District would seize not only the high school but also the adjacent 200-student elementary school, church bookstore, and athletic fields. (The board had originally planned to build on a site that included a city park, but opposition from the city council persuaded it to drop those efforts.) Although its attorney did not return repeated phone calls, the school district's stake in the matter is obvious from row after row of portable classrooms lined up behind Lynwood High School, which was built to accommodate 1,000 students rather than its current enrollment of 2,800.

"I know of no other case where a public school has attempted to condemn

the property of a private school, to move the public school onto the previously existing private school property," says Lee Boothby, general counsel for Americans United for Separation of Church and State, who is working with the Adventist Church on the case's constitutional issues.

The church has been offered about $8 million for its property, although Boothby says it would take more like $30 million to duplicate the current facilities—and land is scarce in built-up Lynwood. Condemnation of the school "is not only a burden on that ministry, it will probably eradicate it," says Boothby. "A church was built on the site because of a shared ministry—a teaching ministry and preaching ministry and also a social outreach ministry, because they have a social welfare ministry also on the same property—and now the state has made the determination as to what ministry shall occur in that particular city." A church, says the city, is all right; a church school is not.

Not surprisingly, students, parents, and alumni—not to mention nearby homeowners who fear their property values would plummet if a public school invaded their neighborhood—are determined to thwart the school district's plans. While the church fights condemnation proceedings in court, these people are taking to the streets. Almost 500 school supporters marched through town in July, passing in front of school board members' homes in an attempt to persuade them to change their votes. "We don't want to antagonize anyone, but we do want them to know we're serious about preserving that school," says Victoria Watts, who graduated from the academy in 1972.

This is an election year in Lynwood,

Lynwood parents, students, and proud alumni are determined to save their school.

as campaign posters throughout the city attest, and William B. Wright, Jr., the academy's principal for the last five years, has decided to enter politics directly. "I have not publicly made my announcement, but I am a candidate for the board of education," he says, with a self-deprecating laugh at the controversy his candidacy has caused. "There's been a furor about that—both pro and con—the issue being Lynwood Adventist Academy and why is the principal of the academy running."

Ironically, academy supporters are also working to have the school declared a historic landmark and therefore off-limits to the school district. So far, they've gained city support, but only a state or federal designation can stop the district. And, Wright admits, such a designation might conflict with future building plans. California's landmark regulation isn't as excessive as New York's, but such a step nevertheless indicates considerable desperation.

The people swept up in the fight to save Lynwood Academy are not for the most part experienced activists. They are ordinary people, confronted with an extraordinary threat. "I hate politics," says Watts. "I just want to get in there and save that school."

Evelyn Smith is also an unlikely crusader. She is a recent widow, a private, church-going good citizen who never suspected that the state of California would infringe on her religious beliefs. But then a more sophisticated, worldly-wise individual would have realized long ago that you don't buck the government—especially when it damns you with the charge of discrimination—and you certainly don't admit what you're doing and expect the First Amendment to protect you.

When a couple answered her ad to rent a duplex apartment in Chico, California, Smith asked whether they were married. Renting to "unweds" offends her religious beliefs, and she sees no reason to encourage the practice. The couple repeatedly assured her that they were in fact husband and wife, and she says the woman even offered to show her their marriage license. Trusting their word, Smith accepted a deposit on the one-bedroom apartment, whose large rooms, fireplace, and formal dining room make it something of a bargain at $325 a month, even in this low-priced college town north of Sacramento.

A few hours later, however, Smith got a call from the "husband," Ken Phillips. They weren't married, he admitted. "He said, 'What kind of settlement, what kind of compromise do you want to

make?' " recalls Smith, speaking in staccato bursts. "I said, 'Well, I will be happy to return the deposit,' and he said, 'Is that it?' I said, 'Yes, I will do this. Since you gave me cash, I will meet you at the duplex and will return your same cash now. Or, if you want, I will write you a check and you'll get it a day from now.' So he said a check would be fine." Smith returned the $150 deposit along with a short note, thanking him for having "the courage to right a wrong." That, she thought, was the end of the matter.

Phillips had other plans, however. He filed a complaint with the California Department of Fair Employment & Housing, alleging that Smith had discriminated against him on the basis of his marital status. (A call to Phillips was returned by Bruce Hilliard, a rather belligerent state employee who acted as "neutral fact finder" in the case and who referred me to Jeff Gonzales, the more-conciliatory state attorney handling the case.) While not unknown, complaints based on marital status are rare, says Gonzales. Most cases allege racial discrimination or, less often, discrimination against families with children.

Since Phillips filed his complaint in April, Mrs. Smith has had several frustrating confrontations with the department, both with and without a lawyer. A Rutherford Institute attorney has now agreed to represent her on a *pro bono* basis—the taxpayers foot the bill for the other side.

For his part, Hilliard sees this as an open-and-shut case. "You *cannot* refuse to rent to someone because of his or her marital status and cannot force your religious beliefs upon them by refusing to rent," he wrote to Smith in April. "In this particular case, it is clearly evident that you discriminated against the Complainant due to his marital status." Gonzales, who hopes to resolve the case without filing a formal accusation, says that his preliminary reading of the facts indicates that discrimination did occur.

But Smith is undeterred. "As a little kid, I was brought up with a song I taught my grandkids, 'I'll stand alone on the Word of God, the B-I-B-L-E.'...The Lord doesn't call us all to the same thing. But with me, he's made me maybe a bullhead. My son said, 'I knew you wouldn't give in, you're too stubborn.' I'm a principled person. I don't give in easily, and I think, well, the Lord made me this way for a reason.

Evelyn Smith believes she has the right to refuse to rent her duplex to "unweds." The state says she doesn't.

"I'm a little bit stronger than someone else who might go through the same thing. I think somebody else might have a heart attack over this. So I have to stand up and defend my rights with the idea that maybe somewhere along the way, it will protect somebody after me.

"I'm sure there are people who have lived together before they're married elsewhere. But I just ask that in my building, they don't do it. It offends me, and I don't want to encourage it, and I just think that I should have the right to choose whom I want."

**Such deep-felt beliefs don't sit** well with a state that expects religious faith to be of no more earthly consequence than one's favorite color or preference for chocolate over vanilla. But the right to hold such beliefs—and to choose to behave in ways that reflect them—is what the battle between economic regulations and religious freedom is all about.

It is also about the meaning and value of property rights—and the consequences of giving government broad powers to regulate what people can and cannot do on their land, or to seize that land outright. For in this struggle, we can see that civil and economic liberties are inseparable, that destroying the latter leads inevitably to the slow death of the former. Even the hallowed First Amendment has not withstood the onslaught of the regulators.

But suppose the courts begin to affirm free exercise rights—suppose they support St. Bartholomew's against the Landmarks Commission, or Lynwood Adventist Academy against the school board, or Evelyn Smith against the state of California. The regulatory gears that pull people into the courts will continue to turn. The First Amendment is not enough. As long as property owners must give a "good reason" why the government should not seize control of their property, must justify themselves to the state on demand, no activity—no matter how innocuous to others or precious to the individual—is safe.

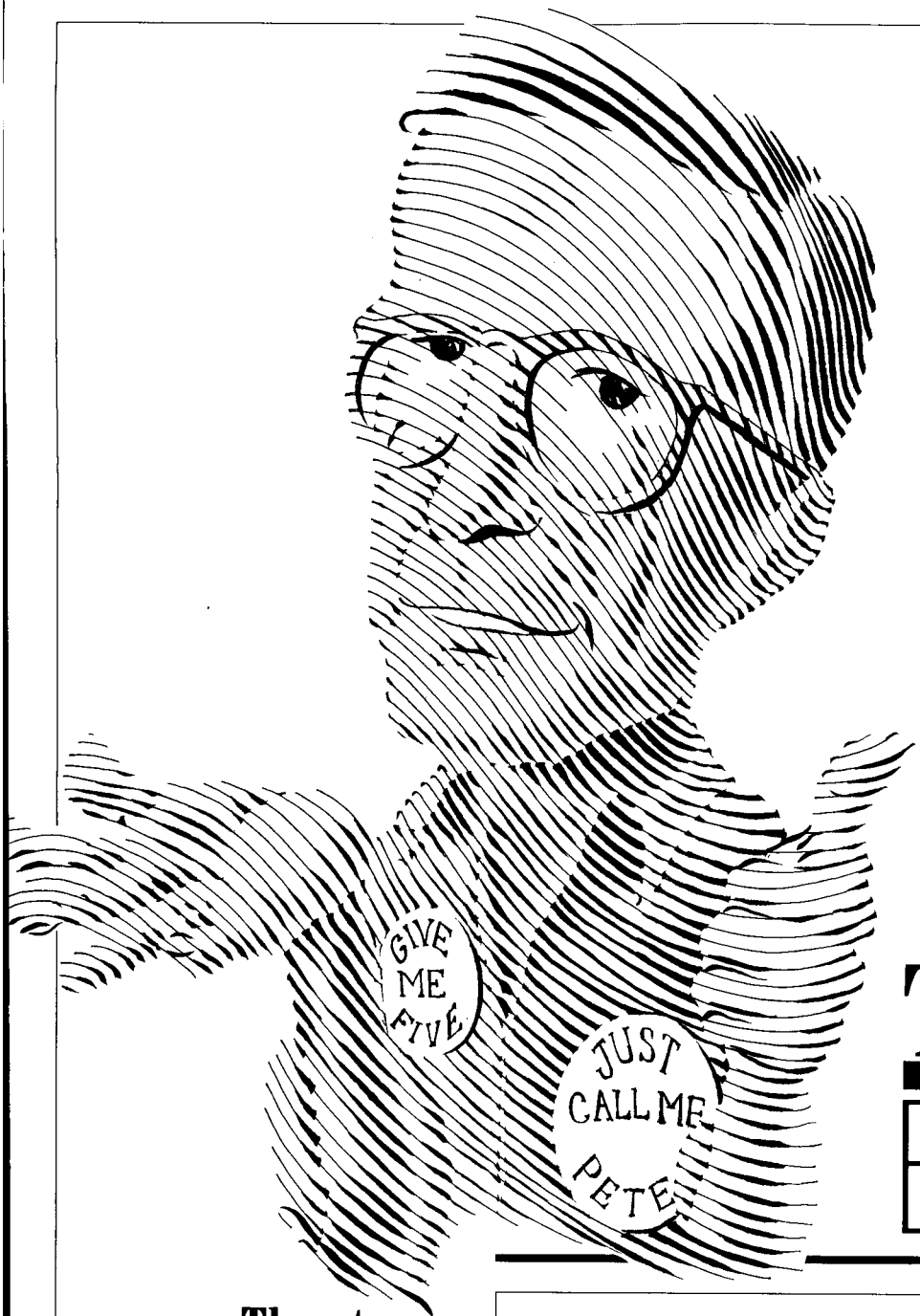
Ultimately, the remedy is not to declare free exercise of religion a "good reason." That would simply force judges to determine what is or is not a valid religion. The only way to restore personal freedoms is to restore personal property—to attack the economic regulations themselves.

If owners were granted full control over their property—the right to rent to whomever they chose, to tear down or build when and where they chose, to determine what activities would take place on their property—then the Evelyn Smiths of the world would not have to claim special protection on the basis of religion.

Property rights—the rights of individuals to maintain and control private space in which they can exercise their beliefs, religious or otherwise—must underlie a pluralistic society. Without such rights, any group that can seize control of a zoning board, a city council, or a landmarks commission can force its values on the rest of the community. Under such a regime, religious groups have little choice but to battle for dominance of the public sphere; once in control, nothing could be more natural than for them, too, to impose their values.

To maintain a free marketplace of ideas—in which religious groups are important vendors—we must maintain a free marketplace, where buildings as well as books are not banned for inappropriate content. That means accepting some tensions, allowing people to use their property in ways of which we disapprove, even seeing an occasional cathedral torn down. But such compromises are preferable to constant struggles over who shall dictate how everyone will live. And they are much less dangerous. r

*Virginia I. Postrel is an assistant editor of* REASON.




BOB SCHUCHMAN

# Tentatively BOLD

## The strange campaign of Pete du Pont

by BILL KAUFFMAN

At a small, informal luncheon in mid-1986 at Washington, D.C.'s Cato Institute, a dozen or so libertarian and free-market mavens were chatting with ex–Delaware governor Pete du Pont. The governor and his alter ego, aide Glenn Kenton, were laying out their strategy for du Pont's long-shot bid for the 1988 Republican presidential nomination. Kenton, in the give and take of conversation, confessed to the campaign's latest stratagem. "We've made a tentative decision," he confided, "to be bold."

By year's end Pete du Pont was off and running, the first long-shot candidate in a crowded and, may we hope, rancorous Republican field. Inaugurating his campaign with an alternately bold and loony speech at the (what else?) Hotel du Pont in Wilmington, the scion of Delaware's royal family surprised any of those assembled who expected a dose of updated Rockefeller Republicanism.

The announcement address contained the usual quota of platitudes. "There is potential in America that is untapped. There are problems that are unsolved." Zzzzzzzz.

But then, improbably, the clouds of banality dispersed. Du Pont enumerated

the core proposals of his campaign. Some were trendy, some authoritarian, some genuinely radical. He called education "one of the last government monopolies" and urged the use of vouchers to refresh a sclerotic system. He advanced a "national schooling and training bank" where *anyone* over 18 could get a government loan for school. He said that welfare "demeans the human spirit" and he pushed, as an alternative, a massive workfare program. He demanded a separation of farm and state, to be phased in over five years. He said that teenagers ought to be subjected to mandatory drug tests. It was not your everyday campaign speech.

And du Pont's is not your everyday campaign. In two important respects he's performing for the Republicans the role Gary Hart played for the Democrats in '84: he's collecting mangy, handsome, or perverse ideas from the throng of policy analysts and think tanks that serve as governments-in-exile in D.C., and he's cautiously framing his candidacy in generational terms, thus testing the thesis that under-40 voters will respond to candidacies suffused with economic opportunity themes.

At first, it appeared that with the 52-year-old du Pont, the Republican primary season would become the latest Petri dish in the search for the economically conservative, socially tolerant young voters the pollsters keep telling us are out there. (See "Making Republicanism Cool," REASON, June 1986). Then he cut a sharp right.

David Boaz, vice-president of the libertarian Cato Institute and articulate promoter of the baby-boom-vote thesis, says du Pont "has come close" to running a generational campaign, particularly by hawking Social Security reform. "But he hasn't implemented it right," notes Boaz, what with the draconian drug-testing proposal.

Though Boaz is no du Pont supporter, a number of veteran libertarian activists are involved in the campaign, among them Cato president Ed Crane, Cato fellows Doug Bandow and Peter Ferrara, Howie Rich of Laissez Faire Books, and Vermont decentralist John McClaughry.

Du Pont's campaign is headquartered on the outskirts of Wilmington, Delaware, far from the pinstriped soullessness of downtown Washington. Wilmington advertises itself as a place where "You can be somebody," a regular Middle Atlantic existentialist haven.

Born to Delaware's most famous (and ubiquitous) family, Pete du Pont's résumé reeks of the patriciate. Exeter, Princeton, Harvard Law School, a daughter who shares her mother's first name...and, of course, a stint at the family chemical business. (Du Pont's background does have its drawbacks. Says Democratic pollster Harrison Hickman: "When you have the first name of a maître d' in a French restaurant and a last name that invokes toxic waste, you have problems.")

In 1970 du Pont was elected to Congress, where he compiled a moderate, distinctly Eastern Establishment voting record. (The paleo-liberal Americans for Democratic Action never scored du Pont below 40 percent.) He ran on that record in his campaign for governor of Delaware in 1976, boasting of his support for, among other things, public-jobs bills.

**Du Pont seems utterly unaffected by the debate on NATO.**

Du Pont won election easily, becoming the first member of his family to reside in the state house.

Alas, you can take the preppie out of Exeter but...Governor du Pont's Tory comportment led to several early PR disasters. When he nicknamed Delaware's typical voter "Joe Six-Pack," the rabble struck back, christening him "Champagne Pete" and "Pierre S. Six Pacque IV." Trouble also dogged him outside a Chrysler plant when he asked a worker, "Did you make any good cars today?" and was met with the righteous hail of populist fury. Worried that he lacked the common touch, Governor du Pont took up bowling.

In du Pont's defense, reporters always begin their stories with "Millionaire Pierre S. du Pont IV," rather than "former two-term governor Pete du Pont," complains deputy press secretary Ann Brackbill. "But they always call Pat Robertson [Christian name—Marion G.] Pat." Fair enough.

From all reports, du Pont was a better governor than most. He inherited a $19-million deficit, the nation's highest income-tax rate, and unemployment well above the national average. Entering office with an apocalyptic "the state is bankrupt" jeremiad, du Pont proceeded to craft a series of income-tax reductions, spending cuts, and excise-tax increases that won batches of hosannas from editorial writers and fellow politicians. "There was no better governor in the country when he left office," gushed Tennessee Republican Lamar Alexander.

Delaware's income-tax rate was reduced 42 percent under du Pont's tenure. A constitutional amendment was enacted requiring super-majorities for any tax increase or new tax. A package of tax reductions and regulatory prunings induced nearly 20 banks to relocate operations to Delaware, directly creating more than 4,000 jobs. (Compare du Pont's record with Ronald Reagan's in California: during Reagan's eight years in office there, taxes on banks, sales, personal income, and corporations all increased. Anti-tax rhetoric, not anti-tax action, propelled him to the White House.

The du Pont legacy is the sort that impresses good-government fetishists: a decade of budget surpluses, unemployment well below the national average, and one of the highest bond ratings in the land. The state's turnaround prompted a wildly enthusiastic 1983 *Reader's Digest* article that pronounced du Pont-era Delaware "The Little State That Could—And Did!" It was nice publicity for a retiring governor whose ambitions outstripped Dover.

To avoid the anonymity of the manswarm, long-shot presidential candidates need to forge a public identity. Pithy and favorable, if possible: it's better to be tagged "protectionist" (Richard Gephardt) or "black guy" (Jesse Jackson) than "the one who screws 29-year-old models" (Gary Hart).

Pete du Pont has succeeded famously

in this quest. Donning the tiara that crowned John Anderson in 1980 and Hartpence in '84, du Pont is the New Ideas Man of 1988. Scan his press clippings and you'll notice that, with the passage of time, media opinion has congealed in a form auspicious to the du Pont campaign: the *New York Times* relates that "du Pont's clear set of ideas" is propelling his crusade; the *Philadelphia Inquirer* has him "generating respect, good will, and genuine curiosity" among the populace; he's bravely pushing "ideas for massive change," according to the *Dallas Morning News*.

Viewed through the narrow eyepiece of conventional politics, the praise is dead on. For in the suffocating covey of ridiculous '88 presidential candidacies (Albert Gore? Al Haig? Paul Simon?), du Pont's is one of only two campaigns from which the occasional daring or heterodox proposal might escape. (Jesse Jackson is the other worth an eavesdrop; so was Jack Kemp, before he slid on his New Right codpiece.)

I talked with du Pont at his Wilmington headquarters, in a small conference room littered—no, garnished—with half-full Styrofoam cups and an empty pizza box. A nice, rumpled campaign feel. Now du Pont, like any pol, has his share of canned answers, spat out rote-style like a bored schoolboy reciting his multiplication tables. But amidst the inane chaff is a program for economic deregulation more sweeping than any since Barry Goldwater's 1964 platform. Much of it, he admits, is sketchy. A campaign is no place for details.

• *Social Security.* Congressman Jack Kemp, dervish of the American Right, has said that any politician who proposes tampering with Social Security "is a candidate for a prefrontal lobotomy." Heedless, du Pont senses an opening to younger voters and is making such reform a campaign centerpiece.

Du Pont's scheme, influenced by Cato analyst Peter Ferrara, would permit younger workers to direct an amount equal to all or part of their payroll taxes into tax-free "Financial Security Accounts." They'd receive tax credits equal to their FSA investments. Retirees, and those not opting for an FSA, would be guaranteed their benefits under the existing system, scheduled increases and all. With time, Social Security would become an irrelevancy to many retirees, who'd socked their money away in presumably high-yield FSAs. Du Pont admits his plan is expensive—it would mean at least $20 billion a year less, and as much as $50 billion, pouring into the Treasury. But he argues that it will avert the calamitous choice between huge tax increases and benefit reductions that looms as the baby-boom generation slouches toward retirement.

Du Pont's is a generational gambit:

**He is betting that younger voters will be seduced.**

he's betting that younger voters, skeptical of Social Security's sturdiness, will be seduced by his plan, outweighing likely defections of older voters jittery at the mention of SS reform. Coincidentally, du Pont's boldness serves to highlight differences with rival Kemp. The Buffalo congressman has taken the bait, ridiculing du Pont as a charter member of a mysterious circle of "social libertarians of the right and left" out to destroy the New Deal's most durable hand-me-down.

• *Farm subsidies.* Du Pont wants to phase out all agricultural subsidies over a five-year period for what he claims would be an ultimate savings of $25 billion a year. Marketing quotas, a Depression-era legacy that has partially cartelized American agriculture, would be abolished forthwith. The impact on rural America? "Diversification," says du Pont, a delicate euphemism for more farmers going out of business.

Ironically, du Pont's namesake, the 18th-century French economist Pierre S. du Pont de Nemours, was a leading physiocratic philosopher who taught that agrarian freeholders were the backbone of a stable republic. Du Pont supporter McClaughry sympathizes with embattled farmers but muses that "the idea of government propping up farm prices would have turned [the old agrarians] into raving lunatics."

• *Federal welfare programs.* Welfare checks and food stamps would be abolished for all but the aged, disabled, and infirm. Anyone unable to find a private-sector job—including mothers with preschool children—would be assigned a government job at 90 percent of the minimum wage. Du Pont estimates that his mandatory workfare program might employ up to four million people; he notes, approvingly, that "50 years ago, America gave temporary employment to over three million."

Du Pont's enthusiasm for public employment places him in odd electoral company: only antediluvian Democrat Paul Simon is as zealous on the subject. Yea, close your eyes during du Pont's rhapsodies and can't you just hear Hubert Humphrey's happy trill escaping through his lips: "How about paying someone to ride a school bus to keep order? What about paying someone to clean the graffiti off New York City subway cars?"

• *Education vouchers.* Parents would be given vouchers for their children's education, redeemable at public or private schools. If an exodus threatened the worst public schools with extinction, so be it. Du Pont's rhetoric here approaches radicalism: "Government tells us where we go to school, what subjects we take, what we read, and what we learn. The way you break up monopolies is with competition." But lest he be thought an enemy of government aid to education, du Pont usually stresses his school loan scheme as a complement to the voucher plan.

Rounding out the idea quintet is a "Rambo-like crusade" against drugs prominently advertised in du Pont's announcement speech. He talks about it much less these days, prohibitionist fever having cooled in the countryside, but it remains lodged in his inventory of new ideas. It's also the issue that makes Republicans sympathetic to individual liberty roll their eyes when du Pont's name is mentioned.

Let du Pont explain his scheme whereby kids who use drugs would risk losing their drivers' license: High school students are "going to be tested every year, year and a half. Your name is going to be picked out of a hat and you come that morning and you get tested. The purpose is not to catch people who

use drugs; the purpose is to send the message so peer pressure begins to develop. So people say, hey, if I get involved in this I'm going to lose the privilege to drive."

Du Pont twins his drug proposal with an effort to purge that other mainstay of teen turpitude, drinking. The crack medical teams assembled to assay the urine of America's youth would vet it for evidence of alcohol use as well. Du Pont is no enemy of neo-prohibitionism: he emphatically endorses the 21-year-old drinking age.

Despite the tough talk, the suspicion persists that du Pont is a closet tolerant using the drug issue to placate New Rightists who, some pundits speculate, have been hesitant to commit to du Pont rival Jack Kemp because of recurring rumors that Kemp is homosexual. In our talk, du Pont at first expressed support for decriminalizing marijuana—then, after a few moments' reflection, reversed his initial answer. Bye-bye, gaffe.

Our conversation:

REASON: "If an individual is an adult, if Ann or I want to smoke a marijuana cigarette in the privacy of our own living rooms, no children present, should we be arrested?"

Du Pont: "No, I don't suppose you should. But if you are using cocaine and break into a shop to support your habit, of course you should be arrested."

But a question or two later, he had a change of heart: "Why should you send a signal to the kids of America that smoking joints is okay? That's the wrong signal. It isn't okay. It's not good for your health. It leads to other drugs."

After the interview, du Pont asked that the tape recorder be turned back on so he could add this coda to our dope talk: "No one has asked me the marijuana question in so many years that I didn't really focus on it. You said, should I be arrested if I use marijuana? The answer to that question is yes, if it's against the law in your state."

REASON: "Well, what I'm saying is, Do you think it should be against the law?"

Du Pont: "It is against the law, and I don't think we ought to change that. And yeah, we ought to be sending the signals to people that the use of drugs is not a good thing. That would include if I grew the marijuana in my back yard."

One last drug vignette. Du Pont was recently challenged by a New Hampshire high-school student who ventured the opinion that drugs ought to be legalized. "That's an outrageous position!" the candidate replied. "You don't have the constitutional right to use cocaine....It'll kill you if you use it! You ought to vote for someone else for president."

## Du Pont's libertarian supporters are not fools.

On foreign and defense issues, du Pont walks the hard-right line: deploy Star Wars, support rebel movements in various Marxist Third World countries (the "Reagan Doctrine"), eschew arms control negotiations with the Soviets. Like many who have made the journey from center to right, he does not believe the legislative and executive are coequal branches in the construction of U.S. foreign policy: "The role of our Congress is to start backing our president."

Du Pont seems utterly unaffected by the debate over NATO swirling around him on the right, and insiders say that he has resisted the entreaties of Cato's Ed Crane, among others, to reexamine the U.S. government's multitudinous commitments. Even U.S. troops' presence in South Korea is beyond his reproach.

Indeed, du Pont thinks his right-wing allies are *not interventionist enough.* Most Reagan Doctrine partisans hesitate to support indigenous forces opposed to tyrannies of the right; du Pont, flush with the crusading, Wilsonian virus so rife among Republican evangels, wishes to be "forceful" in exacting change in Chile and South Africa, among others. Like New Right guru Newt Gingrich, du Pont favors sanctions against Pretoria—a stance for which he was booed at the pro–South Africa National Conservative Political Action Conference in Washington.

But when economics impinges on foreign policy, du Pont breaks with his Cold War comrades. Singularly among Republican candidates, he loudly denounces trade embargoes. Though he allows that sanctions sometimes send the "right signal," he is vigorous in supporting the right of farmers, at least, to sell to whom they please. "I would sell grain, chicken, Iowa beef, anywhere we can."

Including Cuba, trading partner non grata for the last 25 years? "Sure, as long as we're not at war." (Opposing the Cuban embargo is near-heretical on the Republican right; even suave pragmatist Robert Dole has moved to appease Cuban exiles by introducing legislation to constrict the meager channels still extant between the United States and Cuba. Though lifting the embargo is a popular issue with traditionally free-trade farmers, don't look for du Pont to advertise Cuban trade as a logical corollary of his free-market agriculture proposal.)

In refreshing contrast to the gang of Vietnam-age Democratic candidates clamoring for a return to the draft, du Pont views conscription as an abridgement of individual rights. (He does not, however, favor the repeal of draft registration.) One advisor recalls that when an aide brought up draft resumption as a potential addition to his battery of *soi-disant* new ideas, du Pont dismissed it immediately as violative of "individual liberties."

A hodgepodge of other du Pont stances: against the Equal Rights Amendment (he supported it in Congress); against penalizing employers who hire illegal immigrants; for voluntary public-school prayer; opposed to an amendment outlawing abortion; opposed to the protectionist Gephardt amendment; opposed to an oil-import tax. His political hero is Winston Churchill. When asked to list potential members of a du Pont cabinet, he names Jeane Kirkpatrick and William Bennett.

The trouble with having a New Ideas man in the race is that sententious journalists will repeat, ad infinitum, Richard Weaver's famous dictum that "ideas have consequences." But perhaps, in du Pont's case, the provenance of those ideas is the more interesting fact. How does a man who supported wage

and price controls, the Chrysler bailout, and Democratic public-jobs bills now carry the banner for curtailed state intervention in the economy? And how has he become one of the few GOP politicians who, as advisor John McClaughry puts it, "thinks creatively about problems that don't require the continual expansion of government"?

In innumerable interviews, du Pont has credited his experience as Delaware's chief executive with his conversion to free-market partisan. "Kemp, du Pont, and Bob Dole voted for Nixon's wage and price controls," he says. "We learned."

Unlike prepresidential Reagan, du Pont denies that a visceral or philosophical aversion to big government motivates his candidacy. "My idea is not that you reduce the size of government because big government by itself is something you want to eliminate. You get rid of it because it isn't working. It's pretty expensive, so yes, I do have a philosophical objection. But the real proof of the pudding is, does it work?"

Du Pont's blend of ideas is a strange brew indeed. *The New Republic* tags him a "patrician populist." The *New York Times* prefers "modified libertarian." *The Economist* settles for "iconoclastic." Mandatory drug tests...choice in education...the partial privatization of Social Security...a new WPA...free-market agriculture...bankrolling the *contras*—the common thread is elusive.

Which leads to the one unanswerable question: Is Pete du Pont an authentic, freewheeling reformer, or is he just another political whore? Du Pont watchers split along predictable lines. His admirers claim that du Pont is a genuine, if idiosyncratic, article, whose free-market conservatism was forged in the smithy of experience. Writes George Will: "He has the intellectual insouciance of someone who, having governed successfully and thought seriously, has much to say and nothing to lose by saying it."

Detractors find the patchwork quality of du Pont's platform the mark of an ambitious and expedient man. The feisty Howard Phillips, chairman of the Conservative Caucus, scoffs: "I think he is a contrived candidate who is trying to figure out what people are looking for and remake himself in that mold."

Apropos Phillips, a reading of du Pont position papers recalls ex-senator Russell Long's theory of public finance: "Don't tax you, don't tax me, tax that fellow behind the tree." That is, sculpt a distinct, "principled" profile by antagonizing inhospitable groups with controversial positions. And never, ever, insult a friend.

Du Pont talks tough when the subjects are far afield his desired constituency. Debt-ridden farmers, welfare mothers, voteless kids, and inaffluent retirees likely to be repelled (at first exposure) by du Pont's rhetoric were never going to vote for a long-shot Republican in the first place. Du Pont brags that his campaign "is not for the faint of heart," but he says nothing that might offend his target audience: the upper-middle class, solid burghers, and the enterprising young. The candidate has been reticent—silent, actually—on the topic of welfare for the aspiring and the well-to-do. (Indeed, his schooling and training loan program would be an enormous subsidy to the better-heeled.)

Veteran Delaware political writer Ralph Moyed of the *Wilmington News-Journal* views the du Pont platform as the latest manifestation of a "career-long devotion to success. He takes polls and then decides principles. It's the most cynical campaign going." What of du Pont's claim that the crucible of governance produced his market-oriented vision? "I give that no credence at all," says crusty newspaperman Moyed. "How does that explain his proposal to have every high-school kid piss in a bottle?"

Du Pont's libertarian supporters are not fools; they freely admit their man's shortcomings. But as du Pont fundraiser Howie Rich, respected co-proprietor of Laissez Faire Books, says, "I want to be part of a coalition for a candidate who is head and shoulders above the rest." Du Pont, after all, is "talking about Social Security, which is one-third of the government"—and no one else has gone even that far.

Does Pete du Pont have a chance? More than you might think. Though Robert Dole and George Bush are generally vouchsafed the top two spots in the lead-off Iowa caucuses in January, a third-place finish by any of the other candidates (except Jack Kemp, currently running third here, there, and everywhere) will win the kindly attention of the news media as the campaign moves to New Hampshire. There, du Pont hopes to place second, supplanting either Bush or Dole as a front-runner.

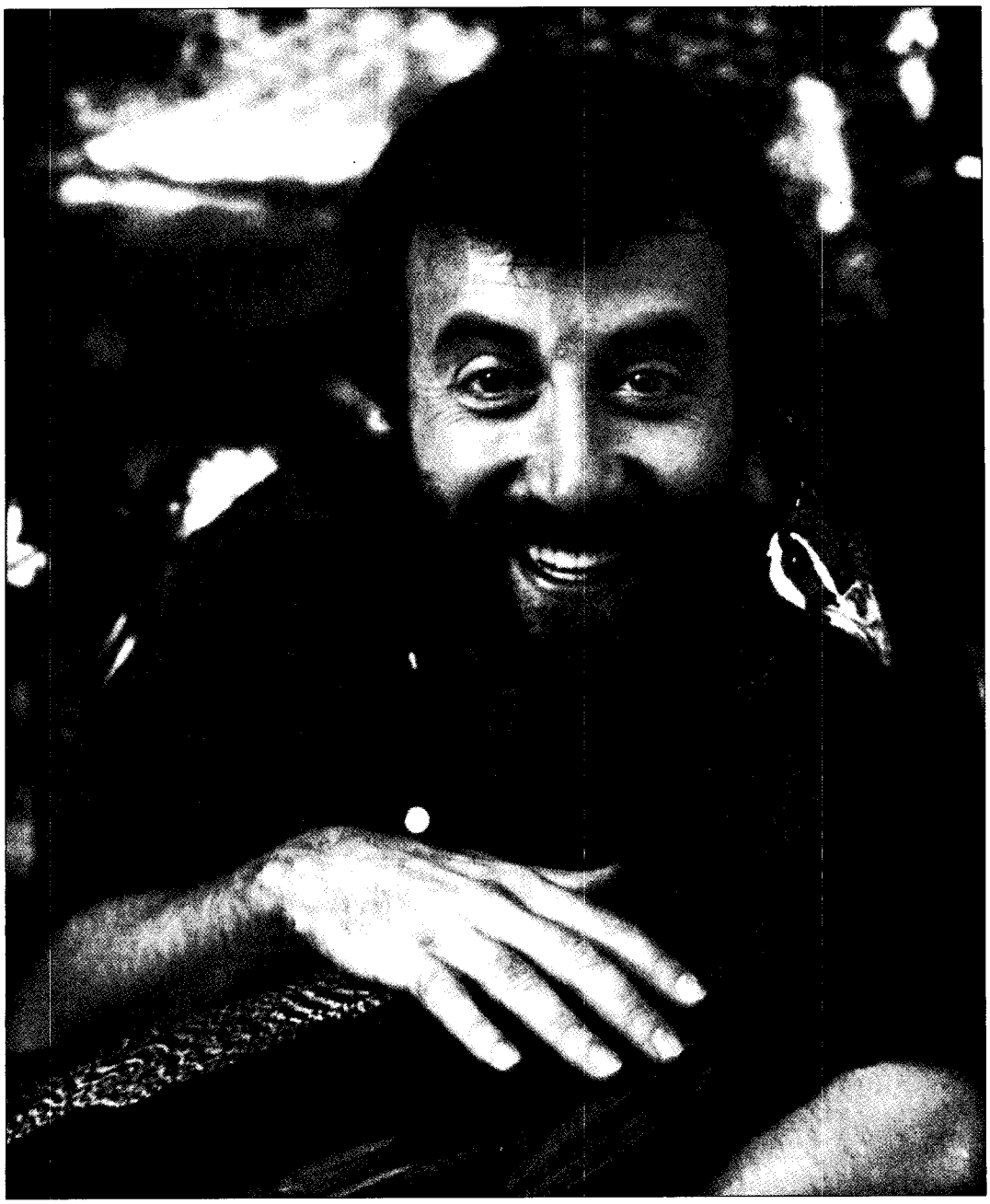
Horse-race journalists are touting du Pont as a potential surprise. His sterling presentations in candidate forums in Iowa and New Hampshire have inveigled praise from a number of quarters and have made du Pont "the most interesting presidential candidate," according to conservative blusterers Evans and Novak. The political insider rag *Roll Call*, handicapping the field, dispenses this equine assessment: "Sleeper continues to move, good organization."

Du Pont's main chance will come with the televised debates prior to the Iowa and New Hampshire contests. He has an assured, if not particularly inspiring delivery, and an impressive exposition of his creed ought to do for du Pont what the 1980 debates did for John Anderson. Among GOP longshots, he is the least likely to go quietly into obscurity and night.

If you're looking for a Paine or Sam Adams or Thoreau, forget this campaign. Pete du Pont is a political pastiche, emerging from no recognizable tradition in American politics. He grazes at the free-market end of the Jack Kemp/Newt Gingrich wing of the Republican Party, assertively pro-enterprise and ebulliently so. His rhetoric on drugs and defense suggests a preppy Pat Buchanan, reflexively pro-government. But giving him the benefit of the doubt—accepting that the modalities of Republican politics require obeisance to the New Right—my best guess is that Pete du Pont is a Gerald Ford Republican on noneconomic matters, and if that's your cup of tea then by all means drink it.

At the least, a respectable showing by du Pont ought to convince other Republicans that a political market exists for someone willing to take on the sacred cows of the entitlement state. If his campaign can stretch the discouragingly inelastic bounds of political discourse in this country, all to the better. Says du Pont, hopefully, "You know what's the wonderful thing about all these proposals we're making? If it looks like I have a chance of becoming president, all of a sudden there's going to be one hell of a debate." Man, do we need it. r

*Washington-based editor Bill Kauffman doesn't think there is any such thing as a new idea.*



**Photographs by George Lange**

# Yakov Smirnoff

*"On the Fourth of July in Russia we had fireworks, too.*
*They'd put you against the wall and fire. It works."*

*Yakov Pokhis, a.k.a. Yakov Smirnoff, was born January 24, 1951, in the USSR of Joseph Stalin. But the Soviets had a little trouble with this New Socialist Man. Today he is arguably the most enthusiastic new American, and, fortunately for this New Capitalist Man, also one of the funniest.*

*With a syndicated television series, "What a Country," movie appearances (*Heartburn, Moscow on the Hudson*), talk show gigs, and a well-traveled night club act netting $15,000 to $20,000 a concert date, Yakov has captured the American Dream in scarcely a decade of residence. His home, a Hollywood Hills estate formerly the domicile of Lenny Bruce, his status as Ronald Reagan's favorite comedian, and his cars—a Rolls (license: KOMRADE), a Mercedes, and a Ferrari (license: EX RED)—are the easy symbols to recognize. Yet Smirnoff is more than rich and less than funny when he ponders his dramatic traverse of geopolitical terrain. When he became the most famous new U.S. citizen at last year's Fourth of July gala beneath the Statue of Liberty, "I jumped so high I almost hurt myself. It's the same feeling I had when they told me I can get out of the Soviet Union. It was like actually your lungs opening up and the fresh air of freedom coming in."*

*Today, at the top of Hollywood figuratively and in the flesh, Smirnoff jokes about the "Russian Express Card: Don't leave home." He realizes full well why he did and what it means. "I'd have stayed in Russia if I'd* liked *it," he told the* Los Angeles Times. *REASON Contributing Editor Thomas Hazlett recently interviewed Yakov at his Hollywood home and found out he was right: Russia is no place for Yakov Smirnoff.*

**Reason**: Why and how did you come to America?

**Smirnoff**: It was 1977. I was 26 years old. I legally applied for a visa and they gave me MasterCard, and I'm here.

**Reason**: What was your life in the Soviet Union like?

**Smirnoff**: I was working all the time as a comedian, making a lot of money as a performer—a lot of money by Soviet standards. And making a living as a comedian in the Soviet Union is not necessarily something Americans picture. They see a suppressed society more than they see somebody who can do comedy. So that's unusual, but it does exist.

**Reason**: What kind of people did you perform before?

**Smirnoff**: I would say the majority of the people were regular folk. It's like here pretty much—what do you need to go out? You need to earn a living. If you want to spend 15, 20 dollars a person at these places, you can have a good show. The same thing there. It wasn't like only a bourgeois class or whatever.

But I was invited a lot of places, like resort areas on the Black Sea, where I used to live. Places like Club Red—which is what it was. It was where a lot of party members have their sanitarium, as they call it—I wish it was cemetery. They would have doctors overlooking their health while they were resting for a month or two weeks or something like that. But it didn't mean that we only would work those places. All the major factories have big nightclub settings—1,000 or 1,500 seats—and that's where we would travel, and I would go with a group of musicians. Or there would be a master of ceremonies, and it would be just a variety show, like a Lawrence Welk type of show. It was real Lenin sisters.

**Reason**: What was it like to play a

crowd of Communist Party chieftains? Any nervous laughter there?

**Smirnoff**: They can be lying in state and you know what they can do. You get nervous a little.

**Reason**: Brezhnev was never noted for his sense of humor, for example.

**Smirnoff**: No. But he was collecting jokes. It's true. There was a joke going around: They ask him what's his hobby and he says, "I collect jokes." He says, "I have two prison camps full."

**Reason**: I want to ask you about our impression of the Soviet Union. How far off is it?

**Smirnoff**: Well, the major difference is that you are not there, so it's hard for you to imagine that it's that bad. It's all relative. Your standards are set way high and you don't believe that people could stay in line for hours to get bread. Or you don't believe that people could live in communal apartments with no phone, with a bathroom outside, or whatever. For us it was reality, it wasn't a big deal. We lived there that way and it was okay. We didn't know any better. It's like people in Cleveland. They have no idea what's going on. They will stay there forever. Why doesn't everybody leave? Because they don't know any better, and nobody encourages them to leave. And the human personality will only work if somebody can encourage it. Like the crises in Poland were encouraged by the Pope, in a way. He went there and the Polish people realized that there was some support from outside and they can do something. And that's how it started.

**Reason**: What's the best part of freedom in the United States?

**Smirnoff**: The best part of freedom is that you don't have to look over your shoulder every time you say something. The basic thing is freedom to practice things that you believe in and believing that you can be better so you strive for something. That was suppressed in the Soviet Union. In my case, that was the major difference, because I found my outlet of freedom working—going on stage and improvising without the Department of Jokes approving my material. This is true—I'm not making that up! They approve your stuff—and they only do it once a year, so you can only change material once a year. I would sometimes get my material without any changes, sometimes it would just be hello and good-bye.

**Reason**: Did they ever miss a punch line?

**"They ask Brezhnev what's his hobby and he says, 'I collect jokes. I have two prison camps full.'"**

**Smirnoff**: Sure. Most of the time. Those guys are retired soldiers. How do you tell a joke to retired soldiers?

**Reason**: What is the worst part of freedom in America? Many Soviets, even someone like Solzhenitsyn, have trouble adjusting to Western life.

**Smirnoff**: I think the worst part of freedom is the goddamn foreigners who come here and take our jobs!

I don't think that the worst part of freedom is that people don't adjust, because it's up to them. It's like anything else: you plant a tree and sometimes it takes and sometimes it doesn't. And in Solzhenitsyn's case, as much as I admire the man, I feel that he closed in. He was telling the truth and he was being very open about a lot of things and gave Americans a lot of information that was very valuable. But people in America don't want to hear that. They want to believe that everything is fine. He just started screaming, and people after a while just said, "Who cares, we don't want to hear this anymore."

Otherwise, I think people generally adjust pretty well. You only see people who don't, and those people make the news. I also believe that the business that you're in and I'm in—media—is a problem. Freedom was suppressed in Russia. It was terrible. There was one newspaper, which was told by the Communist Party what to write. That is terrible, and that is the way they control their people. What I'm seeing here is that the freedom of speech or First Amendment is taken a little bit too far. It is taken to the stage of sensationalism and it's money-making or career-making. That is what it boils down to.

**Reason**: The Reagan administration has found this out.

**Smirnoff**: And that is a shame in a way. I think that one of the basics of freedom is to hear you out and give you an opportunity to defend yourself. Innocent until proven guilty. In Russia you are executed. Period. I believe that media became an executioner here.

**Reason**: Do you think Americans really value the freedom they have?

**Smirnoff**: They appreciate it, but I think they take it for granted.

*(Continued on page 35.)*

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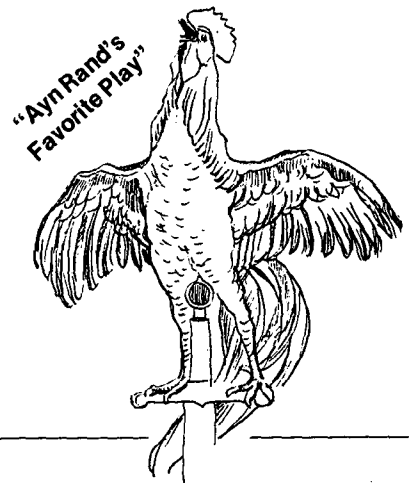


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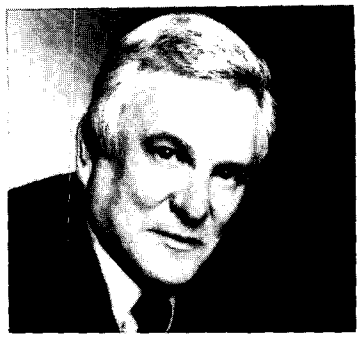

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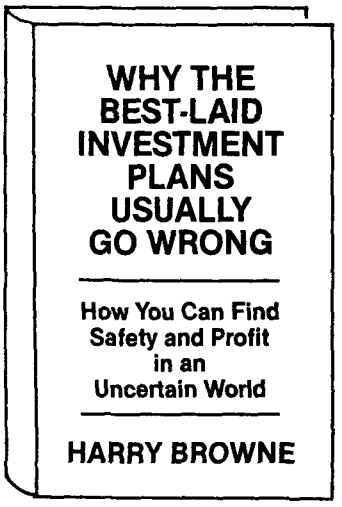
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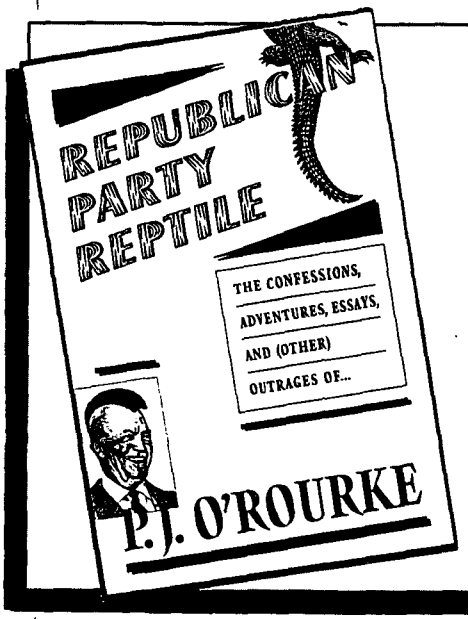


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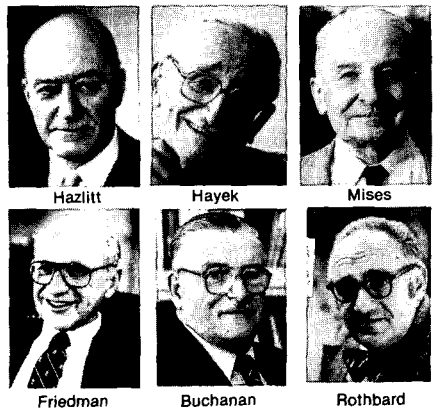


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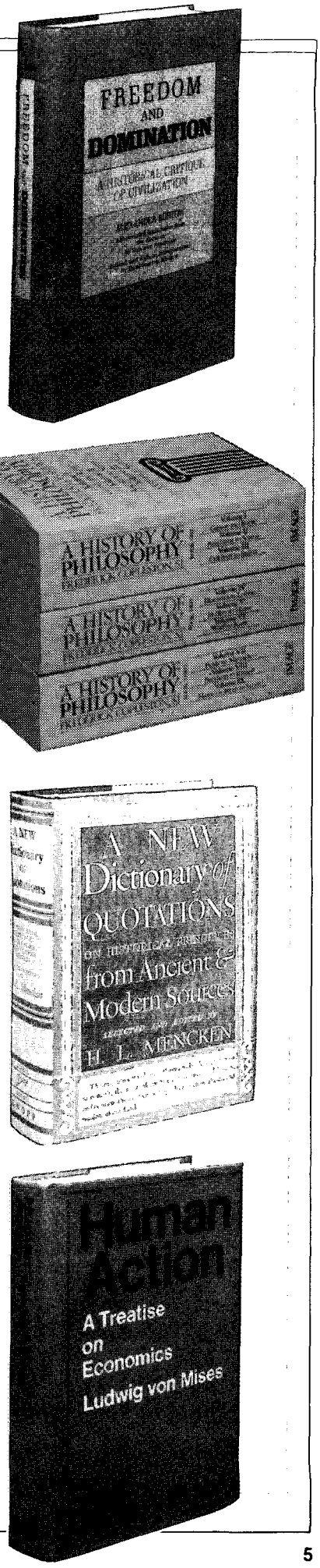
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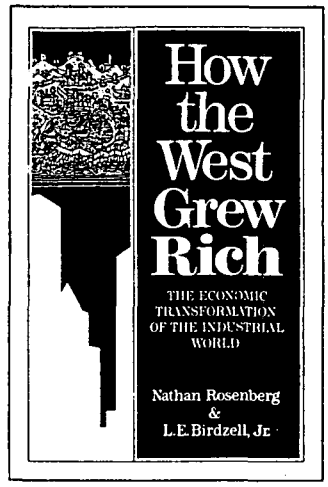


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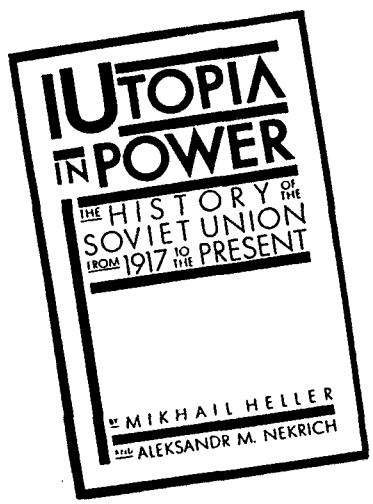


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Baker's book is highly opinionated and while some of his insights are penetrating, others seem bizarre (such as his neo-Fruedianism that sees sexual implications in Roark's building skyscrapers). And there are times when Baker gets (mostly minor) things wrong.

But the book is more concerned with Rand's ideas than is *Passion*, and is more substantive and interpretive than Mimi Reisel Gladstein's excellent work, *The Ayn Rand Companion*. Baker is at his best, perhaps, in looking at her two major novels, *Fountainhead* and *Atlas Shrugged*, and in dealing with her overall career, influence, and her detractors and admirers.

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**Reason**: Did you notice yourself being different than the Soviets when you were there?

**Smirnoff**: Absolutely, I was very different. Just being a comedian—a comedian here is very different from a normal person because you need to have a certain outlook on life. Most people couldn't make a living being driven to make people laugh. It is definitely an unusual thing in the Soviet Union *and* here.

**Reason**: Do you think that is a contradiction in terms, "Soviet comedian"?

**Smirnoff**: Yes, like "Mormon hippie" or something.

**Reason**: Does the Soviet citizen love his country?

**Smirnoff**: You're told to. You're brainwashed enough so you probably think that you do.

**Reason**: Would the average Soviet want to leave the country if he could get his family out?

**Smirnoff**: Yes, if they knew. Most people don't know.

**Reason**: Particularly around the rural areas.

**Smirnoff**: Most of the big cities have the influence of blue jeans, chewing gum, and cigarettes of America. Other people don't even know what it is or where it is coming from. So if you ask an average folk in the street he'll say, "Boy, I have my TV, I have my vodka every night, I have this..."

**Reason**: Did you have much contact with Americans or other Westerners while you were in the Soviet Union?

**Smirnoff**: Yes, because the place where I found out about America was on the cruise ships—the Love Barge, as they call it. I met a lot of Americans there and a lot of Westerners. Even East Europeans, they were much freer. So those people were very helpful for my purposes, helping me to make up my mind and say, Wait a minute, there is a better life somewhere else.

**Reason**: Were you nervous about talking to them because...

**Smirnoff**: Very nervous.

**Reason**: I've read about how difficult it is to establish real friendly relations. Even when the Soviets seem very genuine, they are extremely nervous and sometimes disappear.

**Smirnoff**: You think somebody will see you and hurt you. Not necessarily physically. You can lose your job, get a bad reputation. It's not necessarily that they are going to destroy you the way we picture in movies; it's done sometimes on a different level.

**Reason**: Who was your favorite Soviet dissident?

**Smirnoff**: I don't know. I admire them, but what happens is they make their own dissidents there. It's a PR firm in a way. They say, "Lets make Shcharansky."

**Reason**: They use people for their purposes.

**Smirnoff**: Of course. They are a huge PR firm. They know exactly how your mind works, the American mind, and they know what to give you and what to take away from you. They are succeeding.

**Reason**: Under Gorbachev, *Pravda* has written a major attack on Brezhnev, and this is supposed to be an amazing turn of events.

**Smirnoff**: It's not amazing, because they did similar stuff to Khrushchev. They destroy each other. Khrushchev attacked Stalin and Brezhnev attacked Khrushchev and Chernenko wasn't there to breathe so they didn't attack him. He just died himself. It's something you anticipate.

**Reason**: What about American women versus Soviet women? What is the difference there?

**Smirnoff**: Freedom. American women are free. A few of them charge, but most of them are free. Again, I look at it all as publicity. Probably the majority of people will think that Soviet women are shaped like buses. There are some beautiful women in the Soviet Union; the problem is that sales of magazines in this country are based on pretty things. You walk into America and you see pretty women on TV, pretty women in the movies, and on the cover of magazines. You don't see that many happy women in the middle of Ohio or something. Since the Soviet Union doesn't need to promote any products—they are all made by the government so there is no competition—there is no need for promotion. When you walk into the Soviet Union you see only reality. And reality doesn't look that good.

Also, there are no cosmetics for women. Oil of Olay doesn't get there. They get Lard of Olay. Raisa Gorbachev is publicity. She is wearing nice clothing by Pierre Cardin, and I think that throws people. You hear more and more of fashion in the Soviet Union again. Gorbachev saying, "Show them our pretty women." Overall, relationship-wise, I like American women much more. They are much more open. If they like you, here I am. If they don't like you it's good-bye. In Russia there would be more games. It's a more rigid society.

**Reason**: Apparently Soviet women feel they are not really in an equal relationship with Soviet men. There is a lot of animosity—Soviet men don't treat women very well. For all the talk about egalitarianism, the society is biased against women.

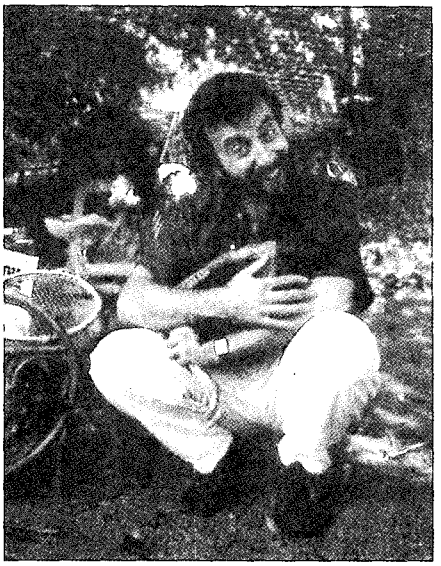
**Smirnoff**: I don't quite buy that because, like everywhere else, what you get is a male who is drunk 90 percent of the time.

**Reason**: That's the chief complaint...

**Smirnoff**: And when you are dealing with a drunk male it doesn't matter. I had a couple of friends over last night who are just as classy as you can get, and they got a little tipsy and all of a sudden they were talking with their hands. In the Soviet Union it was a challenge for men to go home and beat up their wives. Because there are only four guys in the country who can do that.

**Reason**: You have appeared in a funny Lite beer commercial: "In America you can always find a party; in the Soviet Union the party always finds you." My understanding is that that commercial, and also a Wendy's hamburger commercial—which was a very humorous take-off on a Soviet fashion show—have been

**"The Department of Jokes approves your stuff. This is true—I'm not making that up!"**



attacked by some writers in America as damaging to U.S.-USSR relations. What is your view on that?

**Smirnoff**: I say bull. I say it is a shame because they were very funny, those commercials. I feel that what is happening is that the Soviets work so hard on their PR, all of a sudden they were allowed to go on American television and say, "Wait a minute, what are you doing? This is not the way we do it." Sometimes Americans don't think about what is good for them. Since when did it become so sensitive? Since when did it become such a big deal?

**Reason**: What about some of the people the Soviet Union sends over here to be their face? Like Vladimir Posner, the journalist who has done shows with Phil Donahue. What is your view on Americans dealing with people like Vladimir Posner, who are obviously very well-trained propagandists. Do you think we're naive?

**Smirnoff**: Absolutely.

**Reason**: Do you think it works?

**Smirnoff**: 100 percent. In American people's minds, you want to knock down your system yourself. Are you saying, "We want to protect it"? No. You have the freedom to bitch, and you do it. You have the freedom to say that your government sucks, and you do it. And it works for them. Because they are saying that your government sucks. It's like karate. They are concentrating the body into their punch, and you're helping.

**Reason**: Talk about some differences in your life here from your life in Russia. What are the different things you see in shopping? There are so many choices here.

**Smirnoff**: That's a problem sometimes. I am not very good with choices. I'm learning that things can be delivered to you, which is amazing to me. I can call in, I don't have to go anywhere. You can take things back if you don't like them. You can do anything by phone. It's great.

**Reason**: That's better than Russia?

**Smirnoff**: Yeah. There you have no phone.

**Reason**: Otherwise you could have made the same choices?

**Smirnoff**: Sure. You could call America and have them deliver.

**Reason**: Are you Jewish? If you'll excuse me asking a personal question.

**Smirnoff**: Partially, yeah.

**Reason**: Did you try to be Jewish in emigrating?

**"You have the freedom to say that your government sucks, and you do it. And that works for Soviet PR."**

**Smirnoff**: There was no religious background in my case because they suppressed that. So I didn't feel any positive things about that. But negativewise, when they needed to figure this out they said, "Wait a minute—isn't he partially Jewish?" That's like a scapegoat for them. To find somebody who is guilty of something. But overall it's just one of those things. You make a decision to leave and everybody can try to apply and then see what is going to happen. In my case it worked out for the best.

**Reason**: Is the tax rate higher in Russia or in the United States?

**Smirnoff**: They found a solution for taxes there. Very easy. They don't pay you.

**Reason**: That is very easy. No audit.

**Smirnoff**: No, and they don't ask you to pay back. Sometimes they do but not very often.

**Reason**: Getting back to Soviet humor, aren't there a lot of anticommunist jokes in the Soviet Union?

**Smirnoff**: Plenty. And people tell those all the time. It's like a life-line for people in a way because they need to joke about those depressing situations. If they don't they'll hurt themselves. It's like going to the funeral and watching people make jokes about certain things because...

**Reason**: It's too tragic not to laugh.

**Smirnoff**: Yeah, it's very hard.

**Reason**: Are there yuppies in the Soviet Union?

**Smirnoff**: *Yup* in Russian means "sucks," so...

**Reason**: How about other American types. Would you find rednecks in the Soviet Union?

**Smirnoff**: No, their whole body is red. You can't separate the neck.

**Reason**: If Marx were to be rereleased, as they say in the movie business, and show up on a Moscow street, what would be the public reaction to him?

**Smirnoff**: I think the majority would probably want to kill him. They'd say, "We had caviar in the stores before you showed up with your theories. We don't have it anymore. Remember the rest of the things we had? No more." No, the theory doesn't work. It's a tool. It's like religion in a way. You can turn it any way you want. You can twist it around and become a controller of people. Most of the wars were basically religious wars. It's called communism, but it's making people follow.

**Reason**: Here in America we often hear that money corrupts. You've been in a system where apparently there is some corruption, but it's not necessarily from money. How does it work in the Soviet Union?

**Smirnoff**: Power, money, the same thing.

**Reason**: Is it the same?

**Smirnoff**: Oh, absolutely. You live much better and you have more power. And you have no press to destroy you, so you really have a dictatorship and it's the ultimate for people. Here you have limited power, so people find their outlets in different ways. They find big industries and they can be kings and build up this empire. Like McDonald's. They expand and that is their way of winning. But it's not bad winning—it's good winning, in a way. I mean, what is wrong with having McDonald's? If it's optional, God bless you. But there the power goes into political power, and that is when it turns into dictatorship, because they say, "I don't want another McDonald's on this street."

**Reason**: Let me just ask you for one good Gorbachev joke.

**Smirnoff**: Gorbachev went to the factory. He was fighting this alcohol problem. And he said to a worker, "If you had a shot of vodka, could you work?" He said, "I guess I could." "If you had two shots of vodka, could you work?" He said, "Yeah, I think I could." "If you had three shots of vodka, could you work?" He said, "I'm here, aren't I?" ◧

SPECIAL ANNUAL **BOOK** SECTION

# The Opening of Americans' Eyes

by Loren Lomasky

Admittedly, it is not an event that ranks in publication history with the day in 1455 that Johann Gutenberg pulled the first sheets of the Mazarin Bible off his press. Nor do the numbers quite equal those compiled by *Gone With the Wind*, the rendition of an earlier American tragedy. Nonetheless, against all expectations Allan Bloom's *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today's Students* has swept through the mass market to become the publishing event of 1987.

As I write, it is perched atop the *New York Times* bestseller list, where it has comfortably resided for 23 weeks. Hundreds of thousands of copies have been sold—Simon and Schuster told me that the precise number is "classified information"!—newspapers have printed lengthy excerpts, and TV talk shows more accustomed to sensitive explorations of eating disorders and the plight of celibate clerics turn their attention to the state of the American mind. If nothing else, Bloom's brew is a cultural phenomenon of the first rank. It is, however, considerably more than that. *The Closing of the American Mind* offers a diagnosis of current maladies that is meticulously grounded in 25 centuries of the Western intellectual tradition. It is both polemically cutting and reflectively articulate. It is popular philosophy in the best sense of that term.

But philosophy does not sell—at least not in America. So commentators adamantly resist accepting the work on its own terms. Instead, it is treated as a political broadside. From the left Bloom is excoriated as a still-cranky-from-the-'60s crony of nefarious Education Secretary William Bennett, from the right as a revealer of the rot that liberalism has wrought. Once pigeonholed, the book can comfortably be accommodated in conventional terms.

Although this represents monumental confusion, I suspect that it appeals to Bloom's keen ironic sense. Quite unwittingly, the pundits have provided striking confirmation of his indictment of the American mind. It is simply unfathomable to them that someone may be primarily motivated by a passion to uncover what is true and thus valuable; rather, it must be direct and primitive advantage that is sought. What possible reason could one have to invoke Plato if not to further the causes of the Republican Party?

Like the inhabitants of Plato's cave, Bloom's critics have perceived a shadow and proclaim it to be real. *The Closing of the American Mind* is indeed a deeply conservative document, but it is a conservatism distant from that of the Reagan White House.

**The Closing of the American Mind**
**by Allan Bloom**
New York: Simon and Schuster, 432 pages, $18.95

There exists, Bloom reminds us, a tradition of inquiry born and brought to a wondrous vitality in Athens, nurtured through inhospitable environments by such successors to Socrates as St. Thomas, al Farabi, and Maimonides, and consigned by them to the safekeeping of the moderns, in whose hands it has not fared well.

Here is how the story proceeds: The ancients had failed to secure for civil society a rational basis, failed to release it from childlike dependence on myth and putative revelation. The "new political science" of Machiavelli and Hobbes claimed success where their philosophic predecessors had faltered, and the era that would spread the new, scientific gospel to the world confidently named itself the "Enlightenment." That confidence proved, however, to have been misplaced. The first decisive blow to the pretensions of the moderns was struck by Rousseau, and not even the ministrations of Kant and Goethe sufficed to restore to the Enlightenment project its earlier luster. The emptiness at its heart is perceived by Max Weber, Nietzsche delivers the killing thrust, and the obituary is intoned by Heidegger.

As Bloom tells it, not until the curtain has come down in Europe does America appear on stage. During the 1930s, the great wave of intellectual refugees from Hitler brought to the American university the legacy of the last great philosophers. Like the Indians who lacked antibodies against syphilis strains brought from the Old World and so were decimated by it, the American universities found themselves unable to offer any resistance to the German infusion. The result has been nothing short of disastrous. Campus paroxysms of the 1960s demonstrated that the university was no longer *about* anything that could open the minds of America's young. Instead, it churns out football players and MBAs. Only a recovery of the tradition of the philosophers (Bloom is not sanguine) can feed anorexic souls.

Why, though, should the classic works matter so much? Bloom's answer is that they are the repository of the human quest to uncover a world order that is *natural,* not merely the contrivance of artifice, and to see it whole. Within that order, human beings too are conceived to have a nature, and it determines for them which sorts of lives are worthy of pursuit and which are base. Examination, as practiced by Socrates in the Athenian agora, represents the highest in man because it is fueled by attention to that which is in itself good. The successors of Socrates do not speak in a unified voice as to what that good is, and indeed, like Socrates himself they may profess ignorance concerning its contours. They are, however, united in believing that there does exist a better and a worse for man, that reason is the distinctively human tool by means of which that discrimination is to be made, that people can be either correct or mistaken in the gods to which they swear allegiance, and that which they are matters a great deal.

All that, says Bloom, has changed in the past three and a half centuries—and not for the better. Only the natural sciences still conceive of their job as the elucidation of an objective natural order, but it is a nature from which all that is distinctively human has been expelled. The obverse side of our intellectual fragmentation is the expulsion of nature from human studies. For Hobbes, nature becomes not that which is to be sought but rather evaded. The state of nature is the state of war, overcome only if the fear of violent death spurs individuals to set aside vain quests for honor and self-transcendence.

Similarly, John Locke depicts the rational man as one who tidily conserves and expands his endowment of property rather than engage in wealth-squandering quixotic escapades. The utilitarian masters teach that there neither is nor can be any good other than the satisfaction of desire, whatever the object of desire may be. Achilles and Oedipus would have demurred, but Freud reduced the heroic stature they sought to repressed libidinal energies. And today in our schools earnest holders of education degrees assist their students in performing "values clarification" exercises but would never dream of suggesting to their charges the need to inquire into which of these values is truly worth valuing.

This is the failed vestige of the Enlightenment project. It is a failure because, as Weber and Nietzsche recognized a century ago, there is a part of the human psyche that is not satisfied to perform a dreary accountancy over transient desires that aim at nothing other than their own satisfaction. Human beings, and especially the young, have an appetite for enterprises bigger than they are themselves, but there is nowhere in the contemporary university where that appetite is encouraged and fed. Instead, students encounter a relativism whose only absolute value is to recognize no values as absolute, and a maze of blinkered specializations that stand as way-stations between high school and professional training.

So, when the campuses erupted in the '60s and trashing deans' offices and brandishing guns became the definitive badge of authenticity, the universities supinely acceded to their own dismemberment because they possessed no alternative standard of moral excellence with which to fend off snarling 19-year-olds who professed to see through the hypocrisy of their elders, the global wickedness of racist America, and the irrelevance of the curriculum. Yet even

ILLUSTRATIONS-MARK MATCHO

this had been anticipated by the great thinkers: Heidegger's *Rector's Address* announced that moral vitality was not to be sought in an external natural order but rather in the mass will of the nation's young. And so, from a privileged vantage atop two millennia of philosophical investigation, he welcomed National Socialism.

Today the universities are for the most part calm, but that, suggests Bloom, is because there is so little life left in them. Is there an antidote? Perhaps, but it is not one that the temper of the contemporary university is likely to embrace. He maintains that the best chance to restore what modernity has squandered lies in a return to the classical concern with the great questions. And that requires a return to the classics themselves, to the "Great Books." This is, of course, a profoundly conservative stance. A wide gulf separates it, however, from the dogmatic conservatism of the nativist right that professes a wisdom entirely innocent of any prior disciplined inquiry. It was, after all, a conservative impulse to shield the city and its gods from philosophical scrutiny that generated the trial and execution of Socrates. Bloom does not maintain that the answers to all that is wrong in 1980s America is stored up in a few Great Books; what they do provide, however, are the appropriate questions.

Careful readers of *The Closing of the American Mind* will have their own questions. Allan Bloom tells an important story, and he tells it superlatively well. But is it true? Plato recognized that the poets weave fables that captivate the young, but the poets need not tell the truth in order to exercise that power. So they were to be expelled from the Republic. It is not entirely clear whether Bloom is ultimately to be placed with Socrates or

with the poets. Not all that he claims rings true.

For example, his account of the decline of the tradition is, from 1700 on, almost entirely a Continental tale. David Hume and the logical empiricism he fathers is conspicuous by its absence. (The book contains one scant mention of Hume but several pages devoted to Mick Jagger!) But surely the influence within the universities of Humean empiricism is no small thing, is fully comparable to that of the German romantics who populate so many of Bloom's pages. Similarly, he gives short shrift to modern thinkers such as J. S. Mill who attempt to combine liberal tolerance with the recognition of an objective good. And in his rendition, the abandonment of the classical conception of a prescriptive nature is made to appear something of a fit of pique by willful usurpers of the tradition, a sort of Mephistophelean venting of pride, rather than a movement that itself has deep and well-considered philosophical roots.

These items are not merely dry scholarly minutiae; they are central to the plot Bloom develops. The telling of the story could hardly have been better —as hundreds of thousands of American book buyers attest—but the question remains: is it to be believed?

That question too is philosophical, philosophical in just the same sense that the tradition Bloom catalogs is. Philosophy, though, is a discipline to which the talk show hosts and newspaper columnists are, to put it mildly, not inclined. Prospective readers should not be dissuaded by their tendentious bromides. *The Closing of the American Mind* deserves reflective consideration and criticism by those whose minds are not vestigial organs.

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# H. L. Mencken: The Soul Behind the Sass

## by Thomas W. Hazlett

**Disturber of the Peace: The Life of H. L. Mencken, 2nd ed.**
**by William Manchester**
Boston: University of Massachusetts Press, 327 pages, $25.00 / $8.95

Has there ever, in any metropolis or recess of Christendom, lived a more enchanting man than H. L. Mencken?

Henry Louis Mencken managed to give birth to better than 30 finely honed books, covering the gamut: poetry, drama, literature, philosophy, religion, politics, government, war, the arts, sex. He rivals Walter Lippmann as America's preeminent 20th-century journalist; he is alone at the top among the epoch's essayists and satirists. Mencken's pen savaged all that was Great and Bogus in America: the cads in Washington, the Babbitts on main street; the archmorons in the pulpits. By the time of his star's perihelion, the Roaring Twenties, Lippmann had knighted him "the most powerful private influence on this whole generation of educated people."

But there's more. Henry was not simply notorious; he was *right*. About the inane sterility of American letters pre-WWI—demonstrated, for example, by the virtually universal rejection of Mark Twain as a serious literatus. About the American penchant for —nay, addiction to—outrageous quackery: "The church itself, as it has grown more sordid and swinish, has only grown more prosperous," he detailed. About the immorality and inefficacy of government schemes; to wit, Mencken's Law: "Whenever A annoys or injures B on the pretense of saving or improving X, A is a scoundrel."

Mencken was charming *and* correct, a combination virtually unheard of in the annals of American Thought. Hence, his life was a gem. In a dusted-off reprint of his virgin 1951 fling with biography, the now-famous William Manchester repolishes that

Menckenian sparkle all over again—adding two poignant chapters to update at the front and finish off at the end, as Mencken was laid to rest in 1956.

Manchester has superbly resisted the temptation to swipe prose and wit from the infectious Mencken; indeed, he pointedly alerts the reader to the Biden Syndrome. "In the 1920's, and even today—see *The American Spectator*—writers have attempted, and have always failed, to ape the great original." Manchester gives us, instead, a fine narrative in his own words, one that attempts only to complement the real H. L. and never to substitute. It works. The Mencken reader triples his or her appreciation to learn that the poison pen was attached to a warm and kindly soul.

But how that would have stunned Mencken's hapless prey in the first decades of this century. Mencken's roar began its crescendo fortissimo as literary criticism. Assuming the book editorship of *The Smart Set*, a trendy journal about to become famous, in 1908 (at age 28), he reviewed everything his German-American paws could snatch. He zipped through 25 to 50 books per month (this while a full-time editor/columnist at the *Baltimore Sun* by day) and torched the literary scene with an attack on the Puritanism that had grasped its hands about the throat of any novelist inclined toward reality, life, or flesh.

Mencken objected—with a bang: "I am by nature a vulgar fellow. I prefer 'Tom Jones' to 'The Rosary,' Rabelais to the Elsie books, The Old Testament to the New, the expurgated parts of 'Gulliver's Travels' to those that are left. I delight in beer stews, limericks, burlesque shows, New York City, and the music of Haydn, that beery, delightful old rascal! I swear in the presence of ladies and archdeacons. When the mercury is above ninety-five, I dine in my shirt sleeves and write poetry naked."

**Henry Louis Mencken savaged all that was Great and Bogus in America.**

By the '20s, Mencken had ignited a generation. American criticism, "smelling of the pulpit, the chautauqua, the school room," was a neo-Victorian order in hasty retreat, chased by a robust postwar disillusionment and the taunts of one merciless critic. As editor, a post to which Mencken graduated (along with George Jean Nathan) in 1914, he maintained a torrid complementary assault: having shell-shocked the enemy to forge a beachhead, he searched out brave, promising young talents to storm the shore. As Manchester notes, "For almost a decade there was scarcely a major writer in the country who did not trace his career from a first acceptance in *The Smart Set*."

Theodore Dreiser, Joseph Conrad, James Joyce, Willa Cather, Sinclair Lewis, John Dos Passos, James T. Farrell, Upton Sinclair, Ezra Pound, O. Henry, Eugene O'Neill, and countless other stars of the emerging liberation of letters owed great debts to their American field marshal, H. L. Mencken. In 1922, Lewis barked, "If I had the power, I'd make Henry Mencken the Pope of America." In accepting the Nobel Prize for Literature in 1930, he told the Swedes of Mencken's prime sponsorship of what had become a marvelous Golden Age for American authors. But, then again, the point that Sinclair Lewis's star was tied to H. L.'s had been made by others. As Manchester reports, a typical newspaper headline of the era read:

WRITERS ARE TERMED MERE "ICONOCLASTS"
H. L. Mencken and Sinclair Lewis Denounced at First Congregational Service
BAN ON LIQUOR LAUDED

Maybe it was Prohibition, or perhaps it was the War, that took Mencken out of literature and onto the larger stages of politics and social life. He lusted to "stir up the animals," as he put it, and from his comfortable *Baltimore Sun* confines, "he defended prostitution, vivisection, Sunday sports, alcohol and war. He attacked democracy, Christian Science, os-

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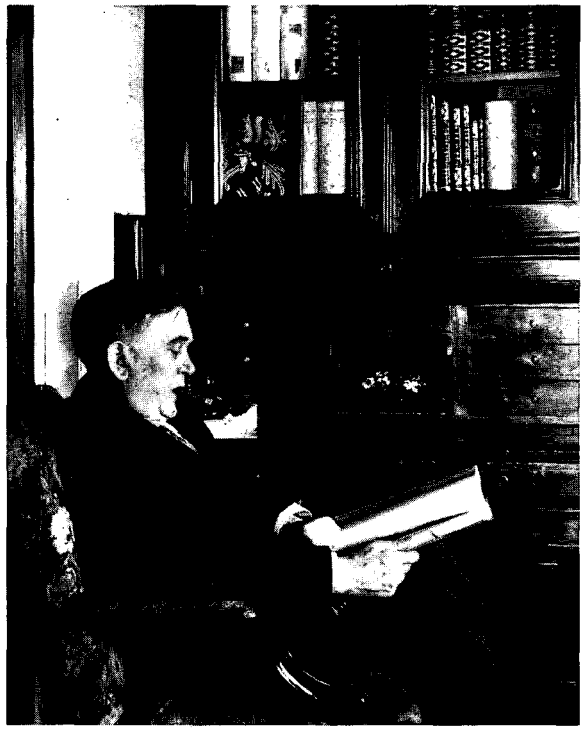
teopathy, the direct primary, the single tax, and every civic improvement boosted by the city fathers." On the quacks, Mencken gorged; he strove "to combat, chiefly by ridicule, American piety, stupidity, tin-pot morality, cheap chauvinism in all their forms."

Mencken's deluge was awesome, as was its equal and opposite reaction, which reached virtual apoplexy after his founding of the outspoken and notorious *American Mercury* in 1923-24. "It is difficult to describe...the great wrath the *Mercury* inspired," Manchester writes. "A massive chorus of Rotarians, preachers, American Legion leaders, and college professors

**Bigoted and rude? "A case of mistaken identity."**



seemed to have organized itself for Mencken's private amusement; he had but to say the magic words and the chorus responded in a spluttering, hysterical hymn of vituperation. He became, alike to the unwashed, Fundamentalist preachers and the well-washed ladies of the D.A.R., the symbol of a common enemy."

While Manchester has some difficulty tracing the source of the animosity, the answer seems clear: Mencken simply stood up to the frauds. Indeed, he hunted them down. When schoolteacher John Scopes was put up on charges of teaching evolutionism in the Monkey Trial in 1925, Henry leaped on the preposterous indictment with glee. He personally hooked Clarence Darrow to defend "the infidel Scopes" and dashed to Dayton, Tennessee, to brew his famous syndicated accounts of the trial and local tent-revival shows. He trashed the pathetic prosecutor and star witness, William Jennings Bryan, and when the demagogue died days later, boasted "We killed the son-of-a-bitch." Yes, the Baptists would get a little hostile now, wouldn't they...

Mencken viewed the critic's role sharply, as a commando against orthodoxy. "The liberation of the human mind," he wrote, "has never been furthered by...dunderheads; it has been furthered by gay fellows who heaved dead cats into sanctuaries and then went roistering down the highways of the world, proving to all men that doubt, after all, was safe." Certainly, Mencken grew to be one of the great dead-cat hurlers of our, or any, time. Yet he remained remarkably a gay fellow as well; never did he let cynical playfulness succumb to bitterness, as did his cherished fore-heavers Mark Twain and Ambrose Bierce.

Mencken's life oozed with gusto. "He never asked me to join him for a beer," remembers Manchester. "I was invited to 'hoist a Schooner of malt.'" Even in his last days (much of which Manchester witnessed, and an account of which is augmented in this edition), he could sit down to lunch at the Maryland Club and introduce its fare to a guest by noting, "The cooks here do a swell job with soft-shell crabs. They fry them in the altogether. Then they add a small jock-strap of bacon." And if he had not lost his appetite, neither had he lost his bite: "This is a very high-toned club. Nothing but men. Any member who suffers a heart attack must be carried outside to the front steps before a nurse can attend him."

Yet the glow of Manchester's biography radiates from the theme that the Prohibitionists would never have guessed: Mencken was a sweetheart. The sass hid a soul that softened for all the virtues its master deeply admired: family, civility, loyalty, honesty, talent, and an earnest day's work. So much of this biography is a testament to the cleavage between the war-like public persona and the private, gentle man. "His readers thought of him as bigoted, cantankerous, wrathful and rude," Manchester writes. "It was a case of mistaken identity."

Indeed, in a hundred ways the Sage of Baltimore devoted himself to friends, family, and, during a five-year marriage (ended tragically by Sara Haardt Mencken's death at age 37), to wife. Mencken "became the most considerate visitor of the sick on record. Friends who, in health, would not see him for weeks or months, found him at their hospital doors each evening, so long as they remained bedridden, with stacks of fiction under his arm and evangelical quotes on his tongue."

As an editor, he was a miracle. Younger writers clung tightly to precious letters of encouragement, letters he wrote by the gross (he penned more than 100,000 letters in his pre–personal computer lifespan). He strictly maintained a policy of returning all submissions within three days of receipt. As author

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Manchester would be keen to note, "His consideration of contributors was incredible. If, reading a contribution, he thought it might be sold to a magazine paying more money, the author was so advised, and Mencken offered to withdraw. Stories of promise that, for various reasons, did not suit the *Mercury*, were returned with notes suggesting magazines they *did* suit. And those authors who did sell manuscripts received, a month after publication, a notarized transfer of copyright, in the event they should want to publish the piece again.

Those who have sniffed vainly about the latter 20th-century America for a man or madam who is both wise and pleasant will take solace in the fact that one such character did indeed roam this jungle in our century's first half. Manchester, whose well-received Mencken tome launched him toward treatises on President Kennedy, Douglas MacArthur, and others, does not, one suspects, realize how very correct, about so very much, the object of his first affection was. (Manchester suggests a real fondness, for example, for the political economy of Jack Kennedy.) But he, like the rest of us, has fallen in love with the man Mencken. That's fine; those who escaped the New Deal's reeducation camps are privy, however, to an added bounty in this fluent, colorful account of the swiftest American on record.

Indeed, the clear-headed reader will be saddened, he will miss Mencken's charm *and* his politics. We could really use him now, what with Jimmy Carter and Ronald Reagan, Tip O'Neill and Jerry Falwell, Gary Hart and Donna Rice, the Moonies, the feminazis, the Naderite crusaders, and the television evangelists. How Mencken could have—But oh, shut up! So long as there remain fools, uplifters, hustlers, or Congress, we will *always* be able to use H. L. Mencken, Patriot, American.

*Contributing Editor Thomas W. Hazlett is an economist at the University of California, Davis. On his wall hangs the famous photo of H. L. Mencken swigging a Schooner of malt at Rennert's Hotel at 12:01 A.M. on April 7, 1933, the first legal glass of beer in post-Prohibition America.*

# The Elusive Lincoln

## by Steven Hayward

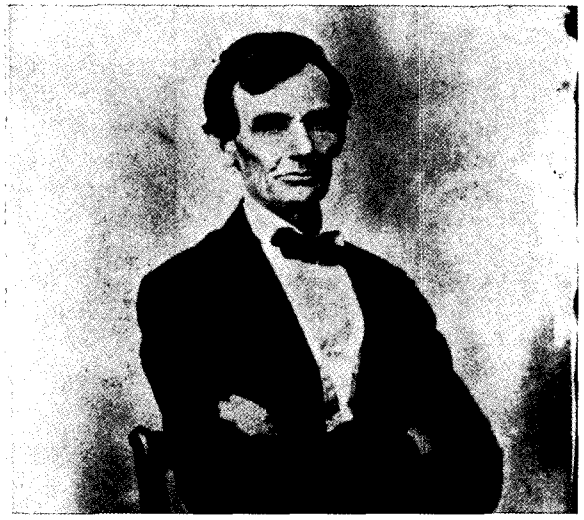
William Safire has written an enormous book. It offers the reader a 975-page narrative, along with a 147-page "underbook" of "sources and commentary" and a bibliography of 320 books that Safire consulted. The narrative is divided into nine parts; Safire uses each to alter the focus slightly as the story proceeds. His narrative, which covers the time period from July 1861 to the signing of the Emancipation Proclamation on January 1, 1863, encompasses virtually the whole array of important (and unimportant) historical characters and viewpoints.

From the earliest pages, the largest issues loom. What is the war primarily about? Is Lincoln justified in his use of "extraconstitutional" measures to "preserve" the union? Safire's rich sweep of events devotes major attention to a wide cast of characters with widely diverging views. Kentucky Senator John Breckinridge, who preferred peaceful separation by the southern states rather than a war that undermined certain constitutional liberties, provides a compelling contrast to abolitionists like Senator Benjamin Wade or pro-unionists, including pamphleteer Anna Ella Carroll and the prominent Washington family headed by Francis Prescott Blair. Depictions of General George McClellan elucidate the military dilemmas of conducting a successful war in the face of politicians hungering for immediate action. Amidst this cast, Abraham Lincoln is still at the center of every part of the book. As he must be.

**Freedom: A Novel of Abraham Lincoln and the Civil War**
**by William Safire**
New York: Doubleday, 1123 pages, $24.95

"The Lincoln legend," historian Richard Hofstadter wrote in his famous essay in *The American Political Tradition*, "has come to have a hold on the American imagination that defies comparison with anything else in political mythology." A tall thing to say, indeed, but a moment's reflection will validate Hofstadter's view. It is perhaps the case that more has been written about Lincoln than any other statesman in history. He continues to fascinate and compel attention because of his elusiveness. The real Lincoln is hard to identify and understand. The same man who was a student of Shakespeare and the classics, who brought formidable dialectical skills to pub-

**Lincoln continues to fascinate and compel attention.**



lic debate, was also given to telling folksy stories and cornball jokes to important people at important moments.

It requires a very keen political mind to discern the unity of thought and purpose in Lincoln's words and deeds. A vast horde of historians, many of them unequal to the task, has flogged every imaginable source and offered every plausible vision and revision. Fiction has now taken up the challenge. Historical fiction has an advantage over standard history. As Safire tells it in his commentary, historical fiction can make use of "informed guesswork to come to conclusions that the known facts alone cannot fully sustain." Fiction, in other words, can get at the truth, even if it lacks "historical" veracity. Safire justifies this enterprise by citing the 19th-century German historian Leopold von Ranke: "Fact has a spiritual content....It is our job to recognize how it really took place....intuition is required."

Gore Vidal attempted this same project recently, and failed. Vidal raised the ire of historians who found his speculations wholly implausible or even outrageous, and the political Lincoln he presented was largely disconnected from the principles and ideas expressed in Lincoln's many speeches and writings. Safire is much more scrupulous, offering factual or circumstantial justifications for his interpolations. Where none is possible, he admits to fiction without apology. But Safire, like Vidal, has an argument to make about Lincoln, an argument with some resonance for today's debate about executive prerogative. Despite his painstaking research and caution, however, the real Lincoln eludes Safire's account in the same way he eluded Vidal's, and for the same reason.

Lincoln had a serious and carefully thought out political teaching. But because he wrote no systematic account, and because as a practical politician his political ideas had to be subsumed to circumstances, his political teaching often remains obscure, even to a mind as fine as Safire's. Safire's Lincoln is divorced from his rich political teaching. Safire fails to grasp the vital relationship between the Declaration of Independence and the Constitution—a relationship that was absolutely central to Lincoln's teaching and statecraft.

For instance, Safire has Anna Carroll wondering "if it was such a good idea for Lincoln to invoke the days of the Declaration of Independence, with its radical 'all men are created equal,' soon set aside by the more conservative framers of the Constitution." We might let this un-Lincolnian understanding pass by were it limited to observers such as Anna Carroll or Lincoln's secretary, John Hay; but Safire ascribes this understanding to Lincoln himself on the final page, when Lincoln signs the Emancipation Proclamation: "Its roots were not in the cool compromises of the Constitution, but in the heat and fervor of the Declaration of Independence. *He was in the end at one with the revolutionaries of 1776, at odds with the cool compromisers of 1787.*" (Emphasis added.)

Far from being a sentence that just slipped out, Safire shows this to be his considered judgment when, in the middle of the book, he wonders: "Lincoln was a man of the Declaration of Independence, with its radical 'all men are created equal,' while [Breckinridge] was a man of the Constitution, with its compromises, balances, and conservatism. Which was more American?"

Wrong question. To be faithful to Lincoln, and therefore to be able to comprehend his statecraft, one must understand his view of the relation between the Declaration of Independence and the Constitution. True it is that Lincoln said, "I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence." But Lincoln understood the Constitution to be an instrument complementary, not contradictory,

to the Declaration. The Declaration set out the ends of free government—equal rights—and the Constitution was the means to secure those ends.

Lincoln's most memorable formulation of the natural harmony between the two documents was his invocation of Proverbs 25:11, about how a word "fitly spoken" was like "an apple of gold within a picture of silver." The Declaration was the apple of gold, and the Constitution the picture of silver. "The picture was made, not to conceal, or destroy the apple," Lincoln wrote, "but to adorn, and preserve it. The picture was made for the apple—not the apple for the picture."

Lincoln understood, and accepted, the necessity for compromise over slavery when the Constitution was written in 1787. He frequently cited Henry Clay—a slave owner—on the necessity of the slavery compromise and the awful dilemma it posed for future American statesmen. In his Eulogy to Clay, Lincoln noted with prescience: "Cast into life where slavery was already widely spread and deeply seated, he did not perceive, as I think no wise man has perceived, how it could be at once eradicated, without producing a greater evil, even to the cause of human liberty itself."

We can see in Lincoln's rhetoric the balance of principle and moderation. He often compared slavery to cancer. It is not always possible to excise the malignancy without causing the patient to bleed to death, but neither is it possible for it to spread without causing death. Lincoln understood before he was president that he could not rightly threaten slavery where it existed, without violating the principle of the very "Charter of Freedom" he sought to uphold. That is why Lincoln was never an abolitionist. But Lincoln understood that slavery could not be permitted to spread to the Western territories, without also violating the central principle the Constitution was intended to establish.

The goal of the Republican Party at its founding was to place slavery "in the course of ultimate extinction" by preventing its spread. If the Union could be held intact and slavery prohibited in the Western territories, slavery would be in the course of ultimate extinction. This the South could not accept. One observer, apparently not consulted by Safire, who understood the situation with great clarity was John Stuart Mill, who wrote in December 1861: "The day when slavery can no longer extend itself, is the day of its doom. The slave-owners know this, and it is the cause of their fury."

Safire's book is largely oblivious to the substantive view guiding Lincoln's statecraft. Instead, for Safire, Lincoln's central purpose is majority rule: "If the experiment of this republic was to work, the majority had to rule—all the time, with no exceptions." Nowhere does Safire offer an account of how Lincoln's idea of majority rule differed from that of Stephen Douglas's majoritarianism of "popular sovereignty." It was over precisely this point that Lincoln and Douglas clashed in 1858.

Lincoln understood that majority rule was merely a practical substitute for the unanimous consent over first principles, the principles spelled out in the Declaration of Independence. Majority rule made no sense without reference to those principles. A majority can-

**Why was the Civil War fought? Lincoln's view eludes Safire.**

not, in Lincoln's view, vote to enslave itself—or others—and remain consistent with democratic principles. The secession of the South was much more than a defiance of simple majority rule; it was a repudiation of the unanimous consent over the founding principles of America.

Thus Lincoln's opposition to slavery and his dedication to preserving the Union rested on the same ground, which is why for Lincoln the war to preserve the Union and the war to abolish slavery quickly became one and the same struggle. Safire, following Stephen Douglas, interprets majority rule simply, and misses entirely Lincoln's understanding, thus distorting the meaning of events and doing a grave disservice to the reader. Safire describes Lincoln's thoughts on emancipation as a "newly embraced cause—not his original, central cause of majority rule."

Safire portrays Lincoln's gradual move toward the Emancipation Proclamation primarily as an expediency to boost the war effort. This function it certainly achieved, and Safire excellently captures this dimension. But the apple of gold is missing from Safire's picture of silver. Again, John Stuart Mill pro-

vides a better guide: "The Republicans well know that if they can reestablish the Union, they can gain everything for which they originally contended; and it would be a plain breach of faith with Southern friends of the Government, if, after rallying them round its standard for a purpose of which they approve, it were suddenly to alter its terms of communion without their consent."

Mill saw from a distance what Lincoln knew, that the middle ground that marked the clearest common denominator of Union opinion could not long remain the ground of policy. Mill wrote: "I at least have foreseen and foretold from the first, that if the South were not promptly put down, the contest would become distinctly an anti-slavery one." Mill, writing in December 1861, gave the end of summer 1862 as the time for this transformation to take place—exactly as it occurred.

And so Safire's book ends with the signing of the Emancipation Proclamation on January 1, 1863. The book cannot continue after this point. For Safire, this was the ultimate moment of the Civil War. But for Lincoln, this was the penultimate moment. The ultimate moment came at Gettysburg, when, in the most important political speech in American history, Lincoln defined the meaning of the present struggle—to complete "a new birth of freedom." In the end it is fortunate that Safire's book closes where it does. It is worrisome to contemplate, had the narrative continued, how he would have handled the Lincoln of Gettysburg.

There is much to commend in Safire's book. It is rich in detail and vivid in its portrayal. But on its central character, Lincoln, Safire is wrong. And it is on the understanding of the central figure that such an enterprise stands or falls. Safire has given us a fragmentary Lincoln, who might well say of this effort: "A book divided against itself cannot stand."

*Steven Hayward, a doctoral student in American studies at Claremont Graduate School, is editor of* The Claremont Review of Books.

# Designer Universe

## by Gregory Benford

**The Blind Watchmaker**
**by Richard Dawkins**
New York: W. W. Norton, 332 pages, $18.95

**Order Out of Chaos**
**by Ilya Prigogine and Isabelle Stengers**
New York: Bantam, 349 pages, $10.95 (paper)

**Roger's Version**
**by John Updike**
New York: Knopf, 329 pages, $17.95

Suppose you are walking through verdant woods and find a gold watch. Its intricate, bright works stand out in their sharp, mechanical order against the soft background of lush life. Who made this thing?

For some philosophers, the sheer wonder of biological complexity has seemed an argument for the prior intervention of God. How could the detailed, intertwined processes that rule nature's enormous engines be unplanned? The gold watch merely jolts us, on our walk; it is in fact less fabulous than the mysterious workings of the wood. Does nature's vast ticking require design?

Modern physics and biology converge to a single answer about the identity of the missing watchmaker: it was chance, all along, and blind chance at that. "The essence of life is statistical improbability on a colossal scale," as Richard Dawkins concludes in *The Blind Watchmaker* after 300 pages of detailed study of how enormous order can build up from microscopic randomness. "Cumulative selection, by slow and gradual degrees," made such wonders as the eye ("invented" independently several times) rather than a single, brilliant leap from blindness to razor-sharp resolution. Evolution made millions of tiny steps, each one conferring minute, added advantage to its bearer. Huge changes were enormously unlikely. "The same applies to the odds against the spontaneous existence of any fully fashioned, perfect and whole beings, including—I see no way of avoiding the conclusion—deities."

SPECIAL ANNUAL **BOOK** SECTION

Arriving at a theory of processes unseen in a mere human lifetime demands careful study, as Dawkins shows in clear, no-nonsense exposition. The trouble is that our everyday notions of likeliness are wildly wrong. "Our well-tuned apparatus of scepticism and subjective probability-theory misfires by huge margins, because it is tuned—ironically, by evolution itself—to work within a lifetime of a few decades."

Can random processes truly fashion the order we see around us? Readers accustomed to seeing chance equated with the inevitable increase of entropy, the eventual heat death of the universe, and other pessimistic images will find Ilya Prigogine and Isabelle Stengers's *Order Out of Chaos* a startingly different vision.

That vision has emerged as modern physics has evolved. The 18th-century Newtonian universe of deterministic, objective data had no assigned arrow of time; its equations could just as easily run forward as in reverse. If you knew everything at one instant, you could predict all before and after; the present contained both future and past. Planets glided serenely forward to predictable positions, and just as certainly historians could find out when eclipses occurred in ancient Egypt. This God-like knowledge was a facet of certain kinds of differential equations, using information often not available in the real world.

But 19th-century physics introduced entropy and the certainty that orbits decay. Our present communications satellites experience a faint brush of upper atmosphere and inevitably turn into meteors.

Now, physics has begun to explore the dynamics of the true, turbulent world, which "appears as irregular or chaotic on the macroscopic scale" but is "highly organized on the microscopic scale. The multiple space and time scales involved in turbulence correspond to the coherent behavior of millions and millions of molecules."

Suppose, passing through the green wood, you spy the smooth surface of a slow stream. An obstruction will make small whorls peel away from its edges, as laminar flow turns to vortex motion. You see the small swirling depressions refract light, waltzing downstream to their own dynamic harmony. The uninteresting, steady stream now has deep, complex structures—order built up from the apparently bland flow.

A more striking example is the phenomenon called Benard instability, created by heating a beaker of viscous liquid from below. At low heat the liquid sits still. Keep turning the heat up and suddenly slow,

churning currents move vertically, carrying heat faster. The entire vessel is now a concert of circulating structures. The onset point and size of the churning cells are quite predictable. Contrary to usual notions of entropy, the highly ordered state comes as entropy increases.

These are examples of self-organization in nature, processes beyond the crystalline static view of the Newtonian age. Cells are "dissipative structures" that support themselves by dissipating a smooth flow of available energy. They arise in conditions far from equilibrium, as microscopic fluctuations are amplified above many other "equally possible" paths.

That nature inherently prefers self-organization is a startling revelation to neo-Newtonians. As Prigogine and Stengers discuss in broad detail, the older view of stability, uniformity, and equilibrium, within closed systems and linear relationships, describes little of nature. The Prigoginian paradigm (which won its creator a Nobel Prize in physics) mirrors our century: disequilibrium, nonlinear relationships, small inputs triggering massive consequences. Market crashes, the abrupt transformations following new technology such as the microchip, the atom bomb, or the personal computer—we have gotten used to historical lurches.

The paradigm extends even to pulsars, where streams of electrons and their anti-particles, positrons, jet outward. Though they are at first smoothly distributed, Peter Goldreich of Caltech, and later myself, were able to show that subtle forces make the electrons seek each other, bunching. The positrons bunch up, too. This forces them to radiate electromagnetic waves many billions of times more powerfully than they ordinarily would, and this makes them visible to radio telescopes on Earth. These self-organized bunches dissipate their flowing energy more rapidly, but they inherently "prefer" matters that way.

These pictures come from a physics that resolutely refuses to consider isolated systems and faces the fact that nearly all of nature inevitably interlinks. This view can be visionary in its complexity; farewell to those who would make mere meteorology of sunsets and botany of blossoms.

Mechanistic, clockwork models alienated many in the 19th century. Mankind had to "choose between the reassuring but irrational temptation to seek in nature a guarantee of human values, or a sign pointing to a fundamental correlatedness, and fidelity to a rationality that isolates him in a silent world." Now, a more interactive physics can soften this classic dichotomy, though it has no room for a watchmaker.

Evolutionary physics also has a place for isolated systems that devolve, following the classic entropy increase. But the exciting truths come from a view of our present state as the outcome of self-organizing processes that began long ago and persist. Once the conditions of energy flow exist, life itself may be a rapid consequence; the first rock formations, reflecting a steady geological condition, appeared at about the same time as life, 3.8 billion years ago.

We personally sense irreversibility through our own blunt mortality. Why does God let His universe decay? The Newtonian universe of rigid, isolated systems alarmed many at an unconscious level, because its God was indeed a distant, unsensed presence. Did our personal decay mean anything against this tapestry of crystalline order? This led many to read deity into design, arguing since the time of Thomas Aquinas that the entire universe is essentially a found golden watch.

Modern physical theory is the backdrop in *Roger's Version* for many of John Updike's familiar themes. It traces the rummaging of Roger Lambert, a 53-year-old divinity professor, for a response to a Young Turk's empirical theology. His opponent, Dale Kohler, asserts that the extraordinary, fine-tuned details of nature are mute clues to a guiding hand.

Kohler's case rests on intriguing facts. Nuclear constants, if changed a mere percent, would make stars like our own only fleetingly stable. Tinkering even slightly with atomic ratios would sunder all complex molecules that could sustain life. We are surrounded by a delicately set frame of conditions, like an oil painting held by spider webs.

On the cosmological scale, there are puzzling numerical coincidences. The ratio of the electric and gravitational forces between the fundamental units of atomic matter, the electron and the proton, is about $10^{40}$. So is the ratio of the time light takes to cross the universe, to the time taken to cross an atom. The number of protons in the universe is just about the square of this number, $10^{80}$.

Physicists have fretted over such possibly meaningful coincidences for half a century. In *Roger's Version* Dale Kohler intends to *prove* that God has left His fingerprints on the universe, like a forgetful cosmic carpenter. Kohler argues that mathematics and computers can now model everything so well that God cannot remain hidden. "A tree, like a craggy mountain or a Gothic cathedral, exhibits the quality of 'scaling'—its parts tend to repeat in their various scales the same forms." He uses the latest complex computer codes to strip away reality and unmask God through circuitry, where "in the microscopic maze where a single fleck of fallen dust would block a passage like a boulder and the finest hair comes crashing down like a cathedral beam, he is drawing closer to the dragon, to the fire-breathing secret."

But Roger isn't having any of this. He clings to an impersonal God who maintains majestic tact and covers his tracks. Updike gives Roger gorgeous visions of adulterous liaisons between Dale and both Roger's wife and his niece, lush scenes that are consistent with the facts of the objective narrative but may be wholly imagined. In this way he parallels the entire problem with the argument from design that plagued even Aquinas—how do you know you're not just projecting your own desire for perceived meaning? How much numerical coincidence convinces? Later, the pregnant niece provides evidence of *some*one's passions. But the father could be Roger himself, snared in a devil-may-care moment.

In the end, Roger doesn't know with certainty that he is a cuckold. Neither does Dale know if God gives an occasional wink and nod. Parallel uncertainties stretch like deterministic railroad tracks into the infinite perspective, where they may only appear to meet.

Updike seems to offer a God who immerses us not in mute proofs but in the experience of participating in the universe's evolution. As usual, sex and mortality are flip sides of the same philosophical coin: "It's a grand surprise nature has cooked up for us, love with its accelerated pulse rate and its drastic overestimation of the love object, its rhythmic build-up and discharge; but then that's it, there isn't another such treat life can offer, unless you count contract bridge and death."

Updike's Barthian God is the great Other, finally unknowable except through His word; proofs and clues are irrelevant. This God is finally more musty metaphor than deity. He does not seem to participate in the universe, and so reminds physicists of a kind of Newtonian God, having deliberately removed Himself from our isolated and entropic-bound system. Or perhaps in the pervasive phenomenon of dissipating, self-organizing systems we see some deeper clue?

*Gregory Benford is professor of physics at the University of California, Irvine, and the author of* Timescape, *among other novels.*

# Radical Intellectual

## by Robert Nisbet

Sidney Hook was born 85 years ago in New York City, where he has lived the greater part of his life and where he is still undoubtedly the best-known academic figure since the heyday of his own great teacher, John Dewey at Columbia. Not that Hook's fame is confined to New York. I can't think of any intellectual's name that would come more quickly to mind in any discussion involving political and cultural affairs in this country, this century, than Sidney Hook's.

All his life he has been in the thick of things ideological but also things academic and scholarly. His commitment to political activism began in high school, where, he tells us, he opted for socialism. He attended City College in New York and then Columbia University, where he took his doctorate in philosophy under the great John Dewey. Hook's portrait of Dewey in this book is by far the best I have read. So are his portraits of Bertrand Russell, Albert Einstein, Bertolt Brecht, Whittaker Chambers, and Max Eastman, all winning in their by turns acerbic and affectionate ways.

There is never the suggestion of the all-too-common practice these days of the portraitist insinuating himself into the foreground of the portrait. Hook is admirably detached, though this does not mean a gelded approach to everyone; far from it. He has been fighting the Soviet Union, the Comintern, and the American Communist Party for many years, and

**Out of Step: An Unquiet Life in the 20th Century**
**by Sidney Hook**
New York: Harper & Row, 628 pages, $29.95

he doesn't disappoint us by going soft in his ninth decade on those such as Brecht, whom he once ordered from his home after some particularly callous and Stalinist remark.

One of his more charming stories is of the time that Mary McCarthy, when she was a fellow-writer in *Partisan Review*, asked Sidney Hook to give her lessons in metaphysics. The professor declined, however, on the advice of his wife, and thus Hook was saved, as he gratefully acknowledges, from winding up as an unsympathetic character in one of her novels.

There has been a good deal written in the last several years about *Partisan Review*, the best work being by William Barrett, but Hook's pages on the

**Sidney Hook: charming, warm, wise, altogether unsolemn.**

subject in his autobiography lose none of their special poignance. He knew the magazine from the time it first began, as a Stalinist publication at bottom, under Philip Rahv and William Phillips; then its remarkable and heady transformation, under the same editors, a couple of years later into the brilliantly and relentlessly anti-Stalinist, strongly left journal that it was during its most influential years.

Hook was in many ways the father of the *Partisan* group and, for that matter, of many of the younger intellectuals who have been active, in book, article, and journal, since World War II. Hook was also our one thorough scholar in this country in the '30s and '40s in matters relating to Marx and Marxism. His *Toward the Understanding of Karl Marx* and *From Hegel to Marx*, both products of his *Partisan Review* years in New York in the 1930s, set a standard of internal criticism and contextual understanding not often equaled since.

The fight all through the '30s and '40s waged by Sidney Hook and his anti-Soviet band of radical intellectuals is reminder of the sordid record of not only American liberals, with *The New Republic* and *The Nation* in the vanguard, but of our business class in depressing numbers, led by Joseph Davies in his shameful *Mission to Moscow* and ardently reinforced by President Franklin Roosevelt in the courtship of Stalin and his regime. It was the socialist *New Leader* and *Partisan Review*, not any of the mainline magazines like *Harper's* and *Atlantic*, much less any of our major newspapers, that spearheaded the assault against, that led the unmasking of, Stalin and his Soviet despotism. I was a student at Berkeley all through the '30s; Stalinist Communism was a very strong force there and throughout the San Francisco area. There was no one who infuriated the Communists and fellow-traveling liberals as much as Hook.

One of the more engrossing parts of Hook's autobiography is his account of first the Waldorf Peace Conference in New York shortly after the war—shot through with Communist influence, as was, about the same time, the Independent Progressive Party of which Henry Wallace was the figurehead—and then the answering organization of the American Committee for Cultural Freedom (ACCF) and the Congress for Cultural Freedom. These were all watershed events in the 1940s; the Communist-Soviet vein of American thought lost most of the luster it had had among so many Americans from the time of the Nazi invasion of Russia in June 1941—a luster incessantly burnished by the Roosevelt-Hopkins White House.

But, as Hook makes clear, the ACCF was much more than a phalanx of anti-Sovietism. It fought to stop censorship of Edmund Wilson's *Hecate County* in Pennsylvania and of other books; it resisted the Catholic Church's efforts to ban certain movies, among them *The Miracle*; it supported Charlie Chaplin—despite his pro-Soviet stance—when he was under attack by culture vigilantes, and it was among the first to indentify and oppose Joe McCarthy. To my clear recollection, this organization, so largely the brainchild of Sidney Hook, did the crucial work in halting and then repulsing the whole Communist thrust in American political and intellectual life during the decade of the '40s.

Sidney Hook knew Whittaker Chambers during the '30s about as well as anyone did. His characterization of Chambers and of his extraordinary career makes for exhilarating reading. It was Hook that Lionel Trilling took one day in 1933 to meet Chambers for lunch and to seek to persuade him to abandon the Communist movement altogether. Trilling knew of

Chambers's respect for Hook's mind and learning in revolutionary matters. Trilling "was particularly interested...in having me present my criticisms of the theory of social-fascism to Chambers." It is increasingly difficult to remember that particular Communist effort to destroy all liberal activities (on the ground that "objectively" they hastened the onset of fascists); its sheer idiocy invites memory loss. But at the time more than a few intellectuals were very solemn indeed about the theory, Chambers among them.

Ideas, theories, and concepts are all over the pages of *Out of Step*, as are many of the signal events of the past 60 years in America: the formation of the American Communist Party, the impact on intellectuals of the Depression, the currents and cross-currents aroused by the Spanish Civil War, the Pact between Stalin and Hitler in the summer of 1939 and its shattering effect on American radicals, the Roosevelt White House's blatant favoritism toward the Soviets over Great Britain and in utter disregard of postwar geopolitics, and the renascence of Marxist writ and the revolutionary thrust of the 1960s. The New Left had no need for the old-line Communists, nor for labor unions of almost any kind; and it seemed particularly to despise Old Socialists like Hook and New Liberals like John Kenneth Galbraith. In cultural respects the New Left exerted more, and more lasting, force than the Old Left ever had in America.

Sidney Hook's autobiography is among the half-dozen best I have read by Americans of this century. He is remarkably dispassionate in his recollections and latter-day judgments, but this doesn't prevent a very charming, warm, wise, and altogether unsolemn personality from lighting up his subject matter. He is not the same Sidney Hook he was when his name first became known, and he is aware of that. "One would have to be totally devoid of a sense of humor and proportion to claim that one has not changed in the course of a long life." Quite so. And Hook makes his change, and the world's change this century, an exciting, altogether edifying personal history.

*Robert Nisbet, a frequent contributor to REASON, is finishing a new book,* The Present Age.

# Exorcising Demons

## by Claudia Rosett

In the lobby of a building across from the New York Public Library, there used to be a large, wood-block map posted on the wall. Put there by the human rights organization Freedom House, its purpose was to give a broad view of the state of liberty around the globe. Totalitarian countries were painted black; authoritarian were gray; democracies, white. I walked through that lobby often in the early 1980s, and I remember watching with some skepticism as the Latin American portion of the map began turning from grey to white. Peru, Brazil, Argentina, Bolivia—they all joined up with the democratic swathe cut by countries such as Colombia and Ecuador.

My thought back then was that the folks at Freedom House might want to wait a few months, and perhaps save themselves the trouble of a paint job. Since at least the last century, the countries of Latin America have struggled toward freedom so many times, only to collapse back into the grey embrace of a Stroessner, a Peron, a Somoza, or one of that long line of forgotten *caudillos* who march into presidential palaces, issue edicts, and are in turn deposed.

For a part of the world that looks toward Western Europe as its spiritual home, this is more than awful. It is absurd. Latin Americans have the culture, the education, the desire, to piece together democratic governments. "Ever since independence, despite military coups and dictatorships, democracy has been regarded as the only constitutional legality of Latin American nations," writes the Mexican poet and essayist Octavia Paz in his 1985 book, *One Earth, Four*

**The Autumn of the Patriarch**
**by Gabriel Garcia Marquez**
New York: Harper & Row/Avon, 251 pages, $13.45/$4.50

**Pen, Sword, Camisole: A Fable to Kindle Hope**
**by Jorge Amado**
Boston: Godine, 274 pages, $15.95

**And Still the Earth**
by Ignacio deLoyola Brandao, translated by Ellen Watson
New York: Avon, 374 pages, $6.50 (paper)

**I the Supreme**
by Augusto Roa Bastos, translated by Helen R. Lane
New York: Knopf, 433 pages, $18.95

**The Real Life of Alejandro Mayta**
by Mario Vargas Llosa, translated by Alfred MacAdam
New York: Farrar, Straus & Giroux, 310 pages, $16.95/$6.95

**Who Killed Palomino Molero?**
by Mario Vargas Llosa, translated by Alfred MacAdam
New York: Farrar, Straus & Giroux, 151 pages, $14.95

*of Five Worlds*. Yet some essential glue seems always to be missing. Democracy in Latin America flies apart, it winds down, it rots away.

If there's any comfort to be found here, it is that such bad politics has inspired outstanding fiction. Unlike the lapdog artists of the New York writers' workshops, the novelists of Latin America need not grope for big ideas. With every eccentric shift of government, they get a reminder that freedom cannot be taken for granted. Theirs is a world in which the political thermostat is broken, and the extremes of the human character can easily boil over. And always there is the outraged sense that somehow, by right, it should be otherwise.

This is not to say that Latin American writers always understand the nature of freedom. The most famous of the lot, for example—Colombia's Gabriel Garcia Marquez—is an ardent admirer of Fidel Castro. For all his musings on corrupt power, Garcia Marquez fails to grasp the special horror of Marxist government and the black shadow it now throws across Cuba and Nicaragua. But then, good fiction does not always depend on astute politics. In his novel *The Autumn of the Patriarch*, the tale of a dictator caught in his own decaying realm of shadows, Garcia Marquez brings us such wonderful scenes as a group of "nostalgic former dictators," all holed up together in exile. In a house on a reef, they sit playing dominoes, hoping that someday they might be begged to return to their various countries. Meantime, they live as the pathetic creatures they really are: "They would shut themselves up in their rooms to eat so that the others would not see they were living off leftovers."

*The Autumn of the Patriarch*, first translated into English 11 years ago, has become one of the best-known novels to emerge from the unreal world of Latin American politics. For anyone who seeks an introduction to the genre, it's a good place to start. While Garcia Marquez's writing tends to be long on episode and short on plot—as in his most famous work, *One Hundred Years of Solitude*—the details of his style are eerie and often beautiful. Garcia Marquez also has a dry, humorous touch. For example, the narrator tells us that on one embarrassing day, late in the Patriarch's disordered and interminable life, a cow wandered out onto the balcony of the presidential palace and stood there looking at the sunset: "Just imagine, a cow on the balcony of the nation, what an awful thing, what a shitty country."

The works of Garcia Marquez are only one vein of a motherlode that has split wide open to an American audience in recent years. One of the most invigorating of these novels is *Pen, Sword, Camisole*, by a Brazilian writer, Jorge Amado. Subtitled "A Fable to Kindle Hope," that's what this book does.

The pen, sword, and camisole of the title refer to the three weapons taken up in this tale to vanquish the forces of dictatorship, Nazism, and totalitarianism. The story is set in Rio de Janeiro during World War II, when the Brazilian dictatorship of the time chose to side with Germany and Japan. The battle in question is fought not in the trenches but in the

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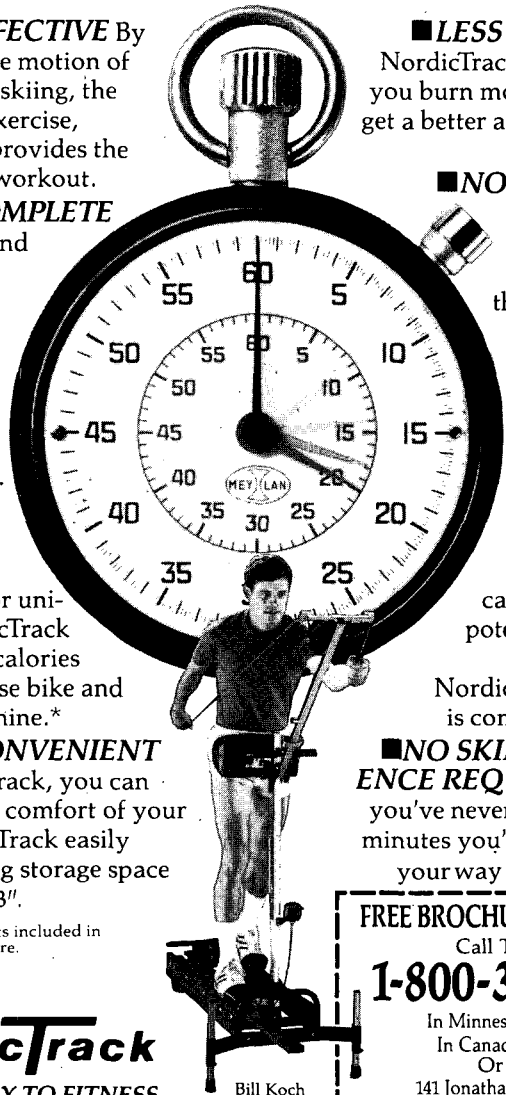

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## BOOK SECTION

Brazilian Academy of Letters—the country's most prestigious institution of scholarship and the arts. On the day the Germans march into Paris, a great Brazilian love poet suffers a heart attack in Rio—brought on by grief for the fallen French city. Three months later he suffers a second heart attack and dies.

With his death, a seat on the Academy falls vacant. It should be filled by someone who shares the dead poet's deep love of women, art, and liberty. Instead, a strutting fascist colonel wants the post. With his long political reach, he seems certain to get it. But two elderly Academy members, Mestre Afranio Portela and Evandro Nuñes dos Santos, set out to defeat the colonel. After all, argues Afranio, the war that has claimed Paris is being fought everywhere. "We are all involved in it,...the battlefield has no limits of any sort, either geographical or military; any weapon is useful and appropriate, and the least victory kindles hope."

Our heroes recruit their own one-man army of sorts. To contest the seat against the colonel, they nominate a general. He is not a worthy poet, but at least he is no Nazi.

Once the utterly evil colonel's aspirations are stymied, however, our two heroes are appalled that their candidate, the general, might actually fill the poet's seat. What transpires is a classic case of Latin American politics. The military man brought in to fix an intolerable problem soon becomes a new problem himself, and it takes courage and political skill for the forces of light to prevail. Amado's characters seem like stock types, but then, this is a fable—told with wit, charm, and a conviction that in some battles there must be no surrender.

For a completely different vision of Brazil, politics, and human nature, there's the futuristic novel *And Still the Earth*, by another Brazilian writer, Ignacio deLoyola Brandao. This time the hero is hardly a man of passionate beliefs. He is a São Paulo bureaucrat, named Souza, who lives in a world so synthetic, depraved, and hideous that when the tale begins he has been numb with horror for years. The enemy is no single military man. Rather, it's an entire society that is demolishing itself. Brazil has been laid waste during Souza's lifetime. The vast Amazon rain forest

has been cut down. A blazing desert has replaced the jungle. Almost no natural food can grow in this wrecked nation. People live on synthetic rations manufactured by the state. Refugees, starving and maimed, roam vast garbage heaps that surround the city. And things are getting worse.

This is a scary book. It takes the ills of modern Brazil—the crime, the huge slums, the lumbering state apparatus—and carries them to their grotesque extremes. Souza's adventures amount to a savage critique of modern Brazil—of its government and of the strange meeting of modern technology and desperate poverty in cities such as Rio and São Paulo. But the author goes astray in his basic understanding of the problem. For instance, Souza wonders if perhaps "life as mere survival will lead us to a new sense of life, newly human. Our essence reconquered. Wipe out having in favor of being. Destroy 'I have,' and suddenly 'I exist.' Oh my utopian dreams."

Neither Souza nor his creator will get far on this tack. Apart from the numerous failures this century to remake human nature, what Brazil needs right now is a lot more "I have," which is to say, a sharper notion of the value of respecting property rights, which would go a long way toward solving that Amazon deforestation problem that seems to so distress deLoyola Brandao. Nonetheless, this book is interesting for its bitterly and sometimes brilliantly imaginative excursion through some of the nightmares of the developing world.

Stranger still is *I the Supreme*, a meditation on the nature of power, by a Paraguayan writer, Augusto Roa Bastos. To follow *I the Supreme*, it helps to have some grounding in the slagheap of Paraguayan political history. Paraguay broke away from its rulers in nearby Buenos Aires and announced independence in 1811. One member of the five-man junta chosen to rule the country declared that the province of Paraguay was "now completely free." This man, Dr. José Gaspar Rodríguez de Francia, then went on in 1814 to assume full power and rule as dictator until he died 26 years later. During his reign, he virtually closed off his country from the rest of the world and became known at home as "El Supremo," the epithet from which the book takes its title. Since the death of Dr. Francia, Paraguay has suffered a string of other dictators and misfortunes.

Against this background, Roa Bastos has written a complicated memoir of the life and times of Dr. Francia, couched sometimes in the voice of the Supreme himself, sometimes in the voice of the scribe to whom the Supreme dictates his thoughts. Fragments of historical documents and events surface in the tale, as the author recreates the ravings of this isolated dictator.

The book begins with an edict found nailed to the door of the national cathedral. It is a proclamation in which the anti-hero, "I the Supreme Dictator of the Republic," decrees that after his death his head should be placed on a pike in the main plaza and all his government servants should be hanged. But this decree does not really come from the dictator. It is a lampoon written by an impostor. So begins the blurring of identities in a country where the dictator claims to represent the general will, or rather the lack of will. "Power has weakness as its foundation," muses the Supreme—or his scribe—at one point. Thus the lampoon nailed to the cathedral door cannot be tolerated. "Bah!" says the dictator. "They're daring to parody my supreme decrees now." The frustration of this madman is that he cannot outlive himself, he cannot stop his own history from falling into the hands of men he will someday no longer rule. Even in his own lifetime, the world is spinning out of control.

Ultimately, this book is a meditation not only on dictatorship but on the nature of the mind itself, the supreme "I." But always the tale comes back to the dark chaos of a country that has become one man's solipsistic world. *I the Supreme* is heavy going. It provokes thought, but it does not much entertain.

Two far more accessible books have come out recently in English translation from the original Spanish of one of the world's best living writers—Mario Vargas Llosa of Peru. Vargas Llosa is concerned neither with fable nor with nightmare nor with philosophical meditation but with the comic and sad ambiguities of life in a country he clearly loves. Like its neighbors, Peru has wound its way in Vargas Llosa's lifetime through a series of dictatorships and weak democratic presidents to reach its current state of near-combustion under the mismanagement of President Alan Garcia—who was democratically elected on

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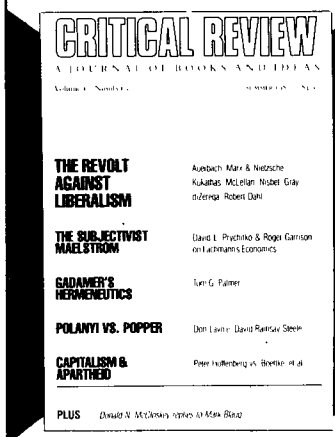


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a left-wing ticket in 1985.

Readers who have not yet had the pleasure of discovering Vargas Llosa's fiction might do best to start with *Aunt Julia and the Scriptwriter.* This marvelous, funny, semi-autobiographical tale recounts the adventures of a young radio journalist in Lima who falls in love with an older woman, Julia. Their romance proceeds amid a flurry of soap opera scripts turned out by a crazed Bolivian radio writer who for a time befriends the couple.

For a more serious taste of Vargas Llosa's abilities, another good beginning would be *Conversation in the Cathedral.* Near the start of this novel comes a line that sets the stage for much of Vargas Llosa's other works, as well. As the hero strolls out of his office and into the "gray midday" of Lima's perpetual mist, he wonders, "At what precise moment had Peru fucked itself up?"

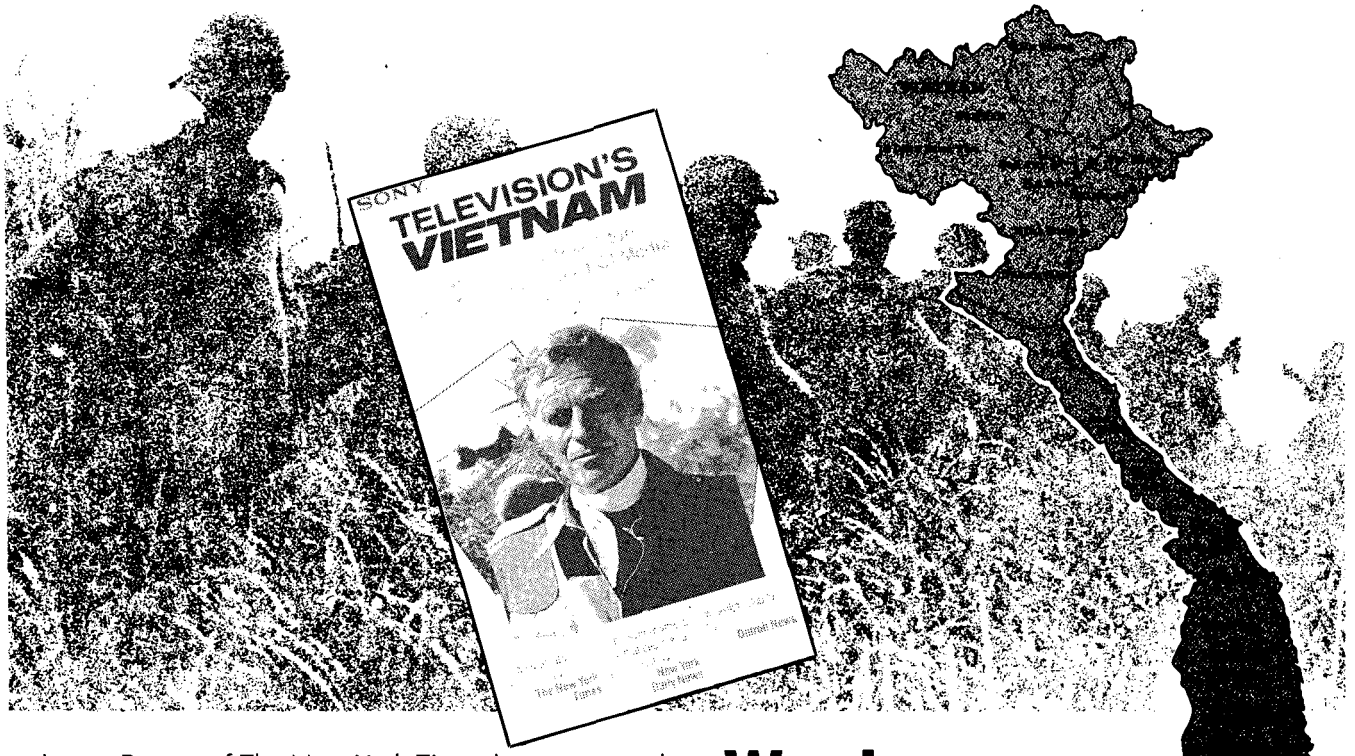
That there's no easy answer to this question is clear in Vargas Llosa's 1984 novel, *The Real Life of Alejandro Mayta.* In this tale, the narrator, a contemporary writer like Vargas Llosa himself, sets out to track down the real story of a revolutionary. The object of his investigation is the Alejandro Mayta of the title, a character who we are told tried to spark a revolutionary uprising in Peru in the 1950s. Mayta's aim, the narrator believes at the outset, was to overthrow the dictatorship of the day and see the people of Peru found a Marxist state.

To this end Mayta and a few of his revolutionary colleagues organized an assault on a small Peruvian town in the Andes. Mayta was quickly captured and sent to prison, after which he passed into obscurity.

The narrator visits Mayta's old haunts, talks to people who once knew him, and eventually, at the end, meets Mayta himself. As the investigations get underway, the narrator believes he is on the trail of someone who understood and deeply loved his country, who was determined to ease the miseries of its people no matter what the cost to himself. But during the investigation the initial vision of Mayta as a heroic revolutionary shrinks into a dismal vision of a pathetic, lonely, and inept outcast.

At the last, what's left is the narrator looking out from his house, and speaking—as he did on the first page of the book—of the trash that spills down the nearby cliffs to the sea, "The garbage that's invading every neighborhood in

# WHO BETRAYED THOSE WHO DIED IN VIETNAM?




James Reston of The New York Times has suggested that it was the reporters and cameramen who forced the withdrawal of American power from Southeast Asia.

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Peru." As an indictment of Latin America's romance with Marxist revolution, this novel is subtle, powerful, and clear. Its insights are underscored by the continuing carnage today of Peru's Shining Path revolutionary movement—which has so far claimed an estimated 10,000 lives and threatens the increasingly frail government of President Garcia.

Finally, there is Vargas Llosa's *Who Killed Palomino Molero?* In this slim murder mystery, two small-town Peruvian detectives take on the nebulous forces of a crooked government apparatus, against which they cannot possibly prevail. A brutal murder has been committed. Young Palomino Molero has been strung up, impaled on a tree, as well as having been slashed, bruised, and burned to death. The book's hero, a junior policeman named Lituma, sees the corpse in the opening scene, and for the rest of the story he is obsessed with horror. "Sons of bitches," he says. And the investigation begins.

Lituma's boss and mentor, Lieutenant Silva, has obsessions of his own as they follow clues in the case. Silva is itching to seduce the plump, elderly Doña Adriana, who works at a local restaurant. Doña Adriana isn't interested. But side by side Lituma and Silva pursue their obsessions; one to find the killers, the other to take Doña Adriana to bed. Soon the murder investigation leads to the nearby air force base. The clues keep leading toward an officialdom where —practically speaking—our heroes have no jurisdiction.

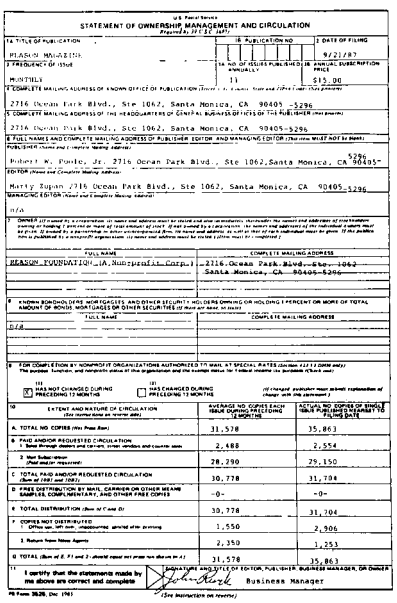
Eventually each man gets what he's been looking for—more or less. But neither gets the satisfying resolution he'd hoped to find. At the end they have both lost their way: Lituma in the heavy draperies of Peruvian provincial politics, Silva in the bewildering veils that fall across human relationships. The real question of this mystery is not who killed Palomino Molero, but what can you do even when you think you *know* who killed him? As in *Alejandro Mayta*, Vargas Llosa rounds off his tale by picking up a phrase from the first scene; in this case, "Sons of bitches."

With that line we are back to the essential difficulty that so inspires the writers of Latin America. The strange afflictions of their political world are all around them. Yet, somehow, they are impossible to track down and expunge. "We Latin Americans are not happy with ourselves, with what we are," writes Venezuelan essayist Carlos Rangel, in *The Latin Americans: Their Love-Hate Relationship with the United States*. But, asks Rangel, "What are we?" Here, Vargas Llosa has offered a fine answer. He gave it at a conference of PEN, the international society of Poets, Essayists, Editors and Novelists, in New York City last year.

Asked at the conference about relations between the writer and the state, a good many of the world's better-known literary artists had declared that the state has no place at all in the life of a writer. Vargas Llosa disagreed. The state is a necessary means of keeping order, he said. The trick is to see that it does not overstep those bounds. "Man is an angel," said Vargas Llosa, "but he is also a demon." It's with that demon, explained Vargas Llosa, that art enters the picture. The role of fiction is to give free play to that demon so that he does not wreak havoc on civilization.

In Latin America the demon has long been on the loose. If Freedom House is still touching up its map back in New York, it's a close call for many of those countries whether the cartographers of liberty should lay in extra stores of white or grey or—for some parts of Central America—black. But if Vargas Llosa is correct, the extraordinary flowering of Latin American literature may signal a mighty exorcism in the making.

*Claudia Rosett is the editorial page editor of* The Asian Wall Street Journal *based in Hong Kong.*



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By Dale Gieringer

# A Scientist Goes Public

Who is Bruce Ames, and why are environmentalists saying all those terrible things about him?

He's certainly an unlikely candidate for political controversy. At 59, Ames is an internationally known scientist, chairman of the biochemistry department at the University of California at Berkeley, and creator of the Ames screen—a quick, inexpensive, and widely used laboratory test for mutagens, chemicals that cause genetic mutations. He was one of the first scientists to recognize that many mutagens also cause cancer.

Soft-spoken, with a professorial manner that includes illustrating his points by writing on the blackboard or giving visitors handouts, Ames is clearly more at home in the lab or a classroom than in a legislative hearing. "Bruce is a scientist, not a politician," says Jeff Baker, one of his postdoctoral students. "Some of the things he says may not be particularly trendy, but they're based on the data."

And there's the rub. Ames may be first and foremost a scientist, but his devotion to his work, and to the data it has produced, has dragged him into the political arena.

Ames's recent research, summarized in an April article in *Science* magazine, indicates that the risks of *natural* carcinogens may far outweigh those of *man-made* pollution, additives, and toxic wastes. For example, Ames calculates that a single raw mushroom, a gram of dried basil, or a half ounce of beer are nearly 100 times more carcinogenic than the average daily intake of the controversial pesticide EDB. "You can't eat a meal," he says flatly, "that doesn't have carcinogens."

Not that he thinks people should give up eating. On the contrary, Ames's point is that the relative dangers of toxic wastes have been widely exaggerated. He argues that cancer risks are systematically overstated by "worst case" assumptions. Even accepting such assumptions, Ames estimates that the total carcinogenic risk of pesticides is equal to that of drinking two beers a year. "It's crazy to go after hazards so small."

**Bruce Ames:** *"You can't eat a meal that doesn't have carcinogens."*

Predictably, such views have drawn him into conflict with environmentalists. Last year, Ames publicly opposed California's "toxics initiative," Proposition 65. It passed overwhelmingly, outlawing the release of any amount of toxic wastes known to cause cancer or birth defects. Ames objected to the zero-level limit on pollutants.

"Human blood wouldn't pass the Toxic Substances Initiative if it got into a stream," he says. "Proposition 65 is a lawyers' welfare act. I don't think it will have any effect on public health."

But California Governor George Deukmejian invited Ames to serve on the committee that determines which chemicals should be listed as carcinogens under Prop. 65. The committee released a list of 29 such pollutants—only those actually proven to cause cancer or birth defects in humans, not those whose danger has been extrapolated from rodent tests.

Environmentalists are outraged. "I've never seen a clearer fox-in-the-coop situation," says Sierra Club spokesman Carl Pope about Ames's presence on the committee. (Ames, however, notes that he does no consulting for the chemical, drug, or food industry, or for law firms—thus avoiding conflicts of interest.)

Ames's own views have evolved since he first began his research. Originally a molecular biologist, he became interested in the carcinogenic hazards of food while working at the National Institutes of Health in the mid-'60s. "I started reading too many labels on packages of potato chips and seeing all these ingredients," he recalls. At NIH, "we were always mutating cells, so I became interested in whether some of the new man-made chemicals coming into the environment might be mutagens."

In the early '70s, he wanted to ban almost any such chemicals that showed up as mutagens on the Ames screen. But, over time, scientists discovered that nature abounds in mutagens, most of which cause cancer. Gradually, Ames came to realize that the hazards of man-made chemicals are "just a drop in the bucket."

He believes there should be a cutoff level below which carcinogenic risks are ignored. "The minute you try to regulate things to one in one million risk, you're lost. It means you're putting your best people on very minor things, when the world is full of one in one thousand or ten thousand risks."

Ames, who enjoys reading the work of Nobel laureate economist F. A. Hayek, notes that manufacturers have strong economic incentives to eliminate carcinogens from their products: "The market is constantly substituting less dangerous things for more dangerous ones."

Like many scientists, Ames believes that the major public health hazards stem from excessive drinking, sunbathing, and especially smoking. "Cigarettes cause 350,000 deaths per year, yet the government in its wisdom subsidizes tobacco farmers," he says in disgust. "You can see where the priorities are—it's all politics, not public health." And it's to change those priorities that Bruce Ames has come out of his lab.

*Dale Gieringer is a free-lance writer in Oakland, California.*

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A few years back, I invested about $12,000 in a promising business venture; I even borrowed for this venture from my complete life savings. The venture and my life savings went down the drain, and I lost every penny I had. I didn't have money for rent, for my car payments, utility bills or even clothing. Most of my letters had something in common: "FINAL NOTICE" stamped on them in bold red. I came home one evening to watch the 6:00 news and found that the T.V. set was missing. I sat on the floor in dismay thinking we had been robbed. But then my wife walked in the front door with tears streaming down her face, and she trembled as she explained that it was sold so we could afford to have food on our table. Later, we were evicted and were fortunate that relatives let us stay with them. I could bear to feel the pains of debt alone, but how I hated to see my loved ones shiver with the fear of having no future. My suffering was killing me.

My boss called me up and told me in a gentle voice that I could pick up my last paycheck that week. I had just been fired. I was already too hurt, and didn't think I could bear anymore. I felt so hurt when I went to bed that night,I just couldn't sleep. I could only lay there helpless with tears in my eyes; I was filled with so much anguish. Just then, as I lay there, an incredible idea overcame me. It was so remarkable that I lay there in amazement, wondering why everyone isn't using this incredible system that only requires a camera. After that day my whole life took a 180 degree turn to prosperity. I was so overjoyed with relief; I knew I had discovered a money-making system that would solve my money problems forever.

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By Warren Salomon

# Year-End Cliffhanger

Another year-end is upon us, and for those of you struggling to get your tax affairs in order, there's something you ought to be aware of, so listen closely. The tax rates are falling! The tax rates are falling!

For 1987, the individual income tax rates are still fairly high—11 percent; 15 percent; 28 percent (on taxable income over $16,800 single, $28,000 joint); 35 percent ($27,000 single, $45,000 joint); and 38.5 percent ($54,000 single, $90,000 joint). But for 1988, there's a precipitous drop in the rates. We'll have only two brackets—15 percent and 28 percent.

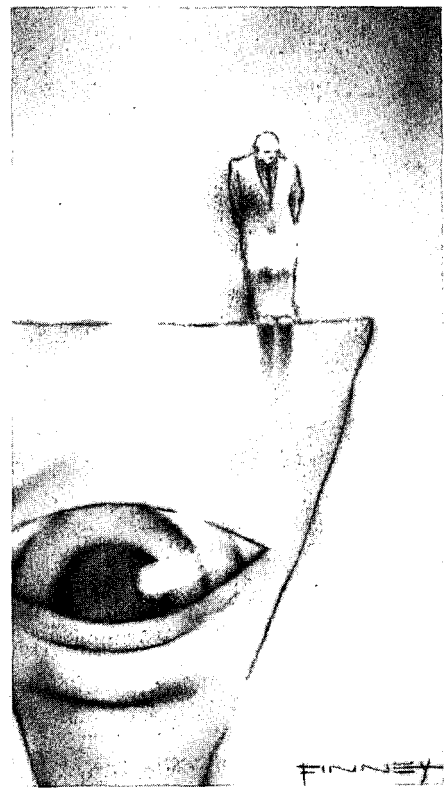
So what can you do to take advantage of the situation? Generally, you'll want to go through all kinds of gyrations to defer income from 1987 to 1988, so you can get the "benefit" of the lower rates. But it's not a simple decision.

First, you'll have to consult the oracle at Delphi to learn whether Congress will change the law and make all your planning worthless. If you get a coherent answer, please let me know.

Then, you should realize that the IRS knows all about cliffhanger years, so you can expect them to scrutinize any income deferral gimmicks rather closely. They know you'd prefer to be taxed at 28 percent rather than 38.5 percent, and they're ready to stop you if they can.

In addition to legislative uncertainty and the threat of IRS surveillance, there's another problem, called the Alternative Minimum Tax (AMT). You need to understand that the AMT amounts to a completely separate system of taxation, and you'll have to do your calculations twice (regular and AMT) to see which rate applies to you (always the higher, of course). The AMT is far too complex to explain here, and to make matters worse, the AMT rate is changing too—but in the other direction.

In 1987 the AMT is 21 percent of your adjusted gross income *plus* 21 percent of certain preference items (like excess depreciation, certain other shelter-type writeoffs, and certain stock option gains) if the preference items exceed an exempt amount ($30,000 if you're single, $40,000 for joint returns). But in 1988 the AMT will apply to more of us, and the rate goes up to 33 percent.




Before you decide how much income to defer into 1988, you need to figure out whether you'll get gouged next year by the 33 percent AMT rate. If so, the sensible thing may actually be to accelerate income into 1987 and pay this year's lower AMT rate of 21 percent.

But if only the regular rates apply to you, it makes sense to defer income into next year. So how do you go about doing it? The ways are infinite. To avoid interest income, buy Treasury bills that aren't due until next year. The interest isn't payable (or taxable) until the bills mature.

If you're a salaried employee, try to persuade your boss to delay your salary and bonus until January. But beware the doctrine of "constructive receipt." This means that income is taxable whenever you're legally entitled to it and have the actual, unrestricted ability to take control of it. Simply not showing up for work on payday won't do the trick—not if you're audited, that is. Constructive receipt is one of the great gray areas of tax law, and it's especially important in cliffhanger years.

If your boss gives you an advance against future expenses, that's probably a debt you owe to your boss, and therefore it's not income; but if it's an advance against future commissions, it's likely to be considered immediate income by the IRS.

If you run your own business, and if it's on the cash basis method of accounting, things are a bit easier. Delay receiving income, if you can afford it. But if you receive a check in 1987, it won't help you to delay depositing it. Once the check is delivered to you (or your agent), the money is yours, and your only hope of not being taxed is if the check bounces.

On the expense side, if you've got the cash, accelerate paying deductible expenses. A check you mail on December 31 is deductible in 1987, even if it isn't delivered and cashed until January 1988, assuming the check is good. You can also borrow money to pay expenses now if you think it's wise. That will give you a current deduction, even if you don't repay the loan until later. But an expense has to be paid to be deducted; mere delivery of a note does not constitute current payment.

Nineteen eighty-seven may be the last year that you itemize deductions. It's going to be more difficult in 1988, and you may be stuck with only the standard deduction. So think about prepaying a few items. For example, your locality may allow the prepayment of real estate taxes. You can prepay the interest on consumer loans, and more of the interest is deductible in 1987 than in 1988. That goes for any interest you owe the IRS, too.

Don't you love all this tax simplification?

*Warren Salomon is an attorney and tax specialist practicing in Miami.*

KEVIN FINNEY

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## A Platter That Matters

*By Kyle Rothweiler*

Havergal Brian had a strange career, if that's what it was. He was born in Dresden, Staffordshire, U.K., in 1876—the height of the Romantic era, the year Brahms completed his first symphony, the year *Siegfried* was first performed. At the age of 20, Brian decided to dedicate himself to writing music. Virtually self-taught, he began to compose. In the early years of this century he had a brief success in the conventional musical world. This soon evaporated. He didn't care. He continued to compose.

In 1919 he began his *Gothic* Symphony; it's a Brobdingnagian work, lasting 90 minutes and employing enormous orchestral and choral forces. Although he finished the work in 1927, it was first performed in 1961. He wrote more symphonies, and some operas and other works. Interest in his music was absolutely nil. He didn't care. He finished his Ninth Symphony at the age of 75. In 1956, at 80, he finished a *Faust* opera. Then he really got going.

He wrote 21 symphonies after he was 80. His last, no. 32, was written in 1968, four years before his death at 96. Toward the end his symphonies became compact, concentrated. He could speak volumes in 10 or 15 minutes of music. He claimed to be composing anti-Romantically in those works, but in fact he never severed his spirit or his musical language from the Romantic century in which he spent his youth. He even said that the people who would understand his music were all dead. He lived to see some of his music performed, to see his obscurity abating. He didn't care.

Most humans seem to care as little as Brian did whether or not his music is performed. But some listeners, having heard his music, can't imagine life without it. To such devotees, Brian's music exerts a hold that is as irresistible as a force of nature, because that is what it is. It is the human spirit made audible. Doubters—and the curious—can test this assertion for themselves by listening to a recording made some 10 years ago and recently reissued (on HMV Greensleeve ED 29 0869 1, available from Records International, P.O. Box 1140, Goleta, CA 93116). Sir Charles Groves conducts the Royal Liverpool Philharmonic Orchestra in Brian's symphonies nos. 8 and 9.

Symphony no. 8 (1940) is a problematic work. It is a single movement of indeterminate shape, one of the composer's most severe works. It presents an extreme example of Brian's tendency toward incorrigible, curmudgeonly rudeness. The music marches and roars and thunders and groans. It fights holy battles and unholy ones. Brian's heroic counterpoint seems to be an aural representation of Nietzschean willfulness. To fans of the composer it is caviar. But novices will be puzzled.

There are compensations. This symphony contains some of Brian's most beautiful lyrical outpourings. Groves's performance, which some Brianites dislike for being too Romantic, for softening the hard edges, is for that very reason better suited to initiates. Harmonically, Brian's music is not difficult—it lies somewhere between that of Richard Strauss and that of Paul Hindemith. This harmonic coherence is in fact one source of Brian's enormous strength—the reason why he convinces even in the midst of the Eighth Symphony's titanic and tortured and ultimately tragic struggle.

The three-movement Ninth Symphony (1951) is an extreme contrast to the Eighth. (Brian loved extreme contrasts.) Especially as conducted here by Groves it is, I believe, one of the most convincing exhibits in the Havergal Brian case. The Eighth is mysterious, enigmatic, perplexing. The Ninth is more clear-cut.

Not that it is instantly gratifying. The first movement consists of still more gnarled, cantankerous, violently polyphonic music, but it is cast in a more reassuring mold—it is, in fact, a traditional first-movement sonata form. The second movement is another example of the radiant lyrical mode that Brian sometimes indulged in—but it has grouchy outbursts, too. He couldn't remain calm for long, especially in his old age. The last movement is pure joy, one of the most exultant finales since Beethoven. It reels on to a massive, blasphemous, drunken coda, an Olympian coda that seems to move the earth. It's music to think by.

*Kyle Rothweiler is a freelance writer in Bozeman, Montana, and is currently writing a book on modern music.*

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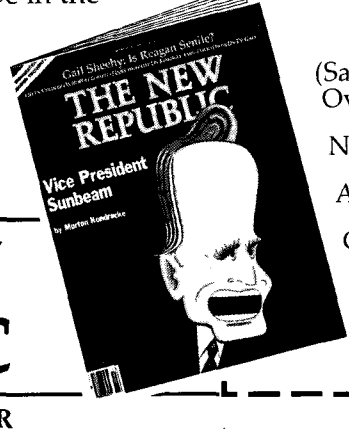


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# THE NEW REPUBLIC

THE MINDS THAT MATTER

## viewpoint

By James Taranto

# All the News It's a Hit to Print

The freeways of Los Angeles are only slightly safer than the streets of West Beirut or the hills of Afghanistan—or so one might believe after reading the news this summer about the "freeway shootings."

It started with a particularly sensational killing—a young man shot dead by an irate tailgater while riding with his girlfriend. This was newsworthy in itself, but soon the "rash of freeway shootings" was *the* big story in Los Angeles.

Reporters milked the subject for all it was worth: Normally routine crime stories—motorists taking pot shots with pellet guns, for example—were treated as major news. Many of the shootings reported as part of this putative trend didn't even take place on the freeway, and some were as far away as San Francisco. The Associated Press was so desperate one Saturday afternoon, it even carried a dispatch proclaiming that "the sound of gunfire was absent" on Los Angeles freeways that day—the *lack* of freeway shootings was making news!

Such fad stories are all too common. In an attempt to make the news interesting, journalists often blow tragedies out of proportion, painting a picture of a dangerous, malevolent world. Unfortunately, such irresponsible reporting often feeds calls for intrusive and unnecessary government regulations and programs.

The freeway-shooting hype, for instance, provided a convenient excuse for gun control advocates. The *Los Angeles Times* deplored what it called the National Rifle Association's "campaign to make certain that a gun is handy when a tire iron would do."

Never mind that at most there are a handful of such shootings, although millions of cars travel California's freeways every day, and, as the *Times* itself admitted, "nobody seems to know how many Californians carry weapons in their automobiles." Responsible, law-abiding citizens wishing to exercise their Second Amendment rights must be punished for the actions of a few crazies.

It was also a big summer for dog-bites-man stories: Hysteria over attacks by American bull terriers, or "pit bulls," led to calls for the government to "do something." Heeding the uproar, Lynn, Massachusetts, passed an ordinance banning three nonexistent breeds as "pit bulls."

Other examples abound: Martin Morse Wooster, in the July issue of REASON, reported on how homeless activists use sloppy statistics to advance their cause by creating the notion that there is a homeless "crisis." They are abetted by a press that tells touching human-interest stories about vagrants but is less than rigorous in checking its statistics. And they are successful: This summer, Congress approved a billion-dollar homeless aid program.

Then there is AIDS hysteria, perhaps the most disturbing example. In recent months, the media have quoted expert after expert warning about an impending "AIDS epidemic," although the disease cannot be said to have reached anywhere near epidemic proportions except among intravenous drug users and homosexual men in a few major cities. The chance of contracting AIDS is virtually nil for anyone who abstains from the so-called high-risk activities—yet panicked people of all political persuasions are sounding the call for government intervention: Criminalize sex! Pass out condoms in public elementary schools! Quarantine victims in Siberia!

The idea that an AIDS epidemic looms on the horizon not only makes intriguing headlines; it also serves the political aims of a lot of people. Conservatives use it to claim that sexual morality is a matter of life and death, while liberals use it to claim that it isn't—and to remove any onus from homosexuals for spreading the disease.

But the prospect of an AIDS epidemic serves, more than anyone else, the very "experts" who are sounding the alarm: "If this wasn't seen as a heterosexual problem, [government] money wouldn't be there for research," a government doctor told the *Los Angeles Times*.

Most hyped-up stories come and go in a matter of months. Missing children were all the rage about three years ago—a million kids abducted a year, "stranger danger," pictures on milk cartons, and all that. But all has been strangely quiet on the missing-kids front since the FBI noted that fewer than 100 children a year are kidnapped by strangers.

And who won the "war on drugs"? No one except the drug enforcement bureaucracy, which now has a package of new laws to enforce.

Reporters tend to concentrate on bad news—murders, disease, poverty, and the like. There is good reason for this—in a generally safe, prosperous, and healthy society, it is mostly tragedies that are unusual enough to make news. A "rash of freeway shootings" sells more newspapers than one random murder, and a "homeless crisis" gets better ratings than a handful of hobos.

But in reporting on the perils and tragedies of modern life, reporters should resist the temptation to present the world as more dangerous than it really is. And the public should be skeptical, not only of such fad stories but also of the causes they serve.

*James Taranto, a journalism student at California State University, Northridge, is an editorial intern at REASON.*

MICHAEL KNEPP

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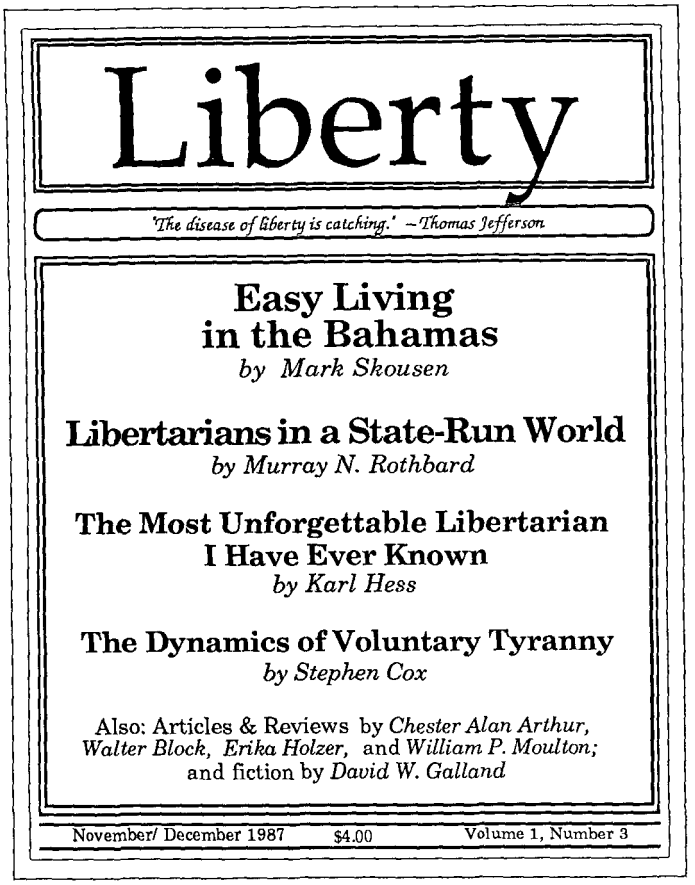

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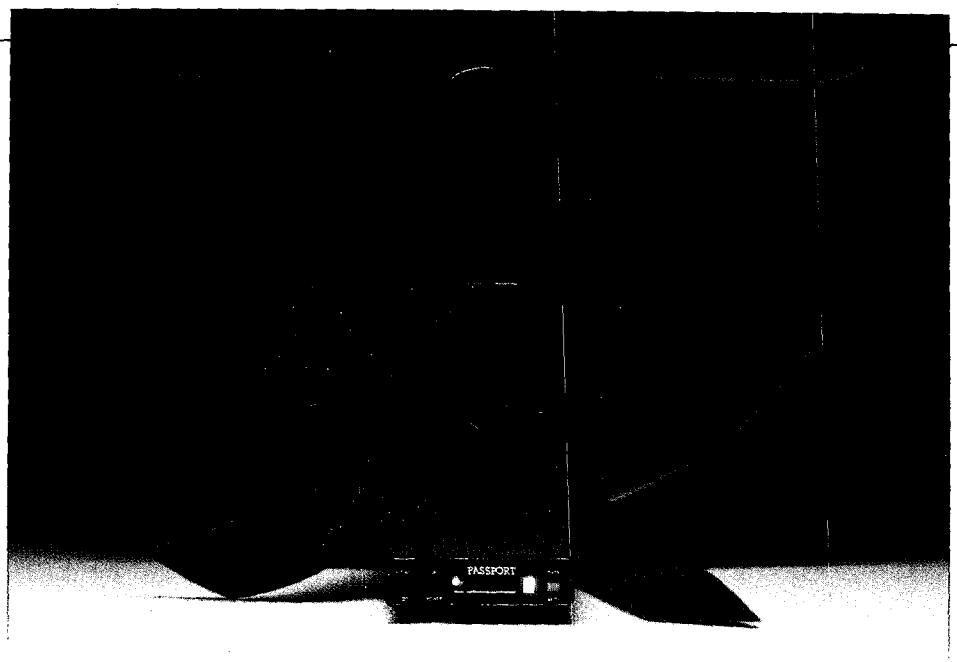


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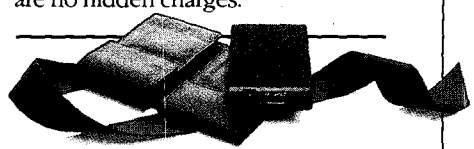

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